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Policing Domestic Violence: Examining the Impact of Extralegal Factors on Officer
Decision Making

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DEDICATION

To my husband, Tai, for the countless hours you spent as an honorary sociologist listening to me talk about this project and for supporting me in all things. Always.

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To all survivors of violence, I see you and I believe you.

ABSTRACT OF THE DISSERTATION

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by

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Doctor of Philosophy, Graduate Program in Sociology
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Dr. Sharon Oselin, Chairperson

Domestic violence calls to police departments are more common than all other violent
crimes combined, with some estimates suggesting 70% of all service calls are domestic
violence related. Yet, legal responses to domestic violence calls are often categorized as
biased, inconsistent, and inadequate. Drawing on in-depth semi-structured interviews,
ethnographic fieldwork, and archival sources, and informed by the literature on police
discretion, organizations, and domestic violence, this dissertation examines the extent to
which specific extra-legal factors influence police officer perceptions and responses in
the field. First, I demonstrate how police organizations influence the behavior of their
employees through policy, training, and culture. I find that expectations and constraints
regarding policy and bureaucratic processes significantly influence police behaviors and
perceptions of domestic violence calls. In addition, I note inconsistencies between formal
police training, which is victim centered, and the "hidden curriculum," which often

presents domestic violence cases in a negative light. Second, I consider the influence of officer demographic characteristics on responses to domestic violence and find support for the "difference perspective," whereby officer perceptions of themselves and their abilities differ based on their gender and race. I argue that these perceptions contribute to policing as an inequality regime and site of inequality reproduction as they reinforce the notion that domestic violence calls are more appropriately handled by certain groups of people (read: women). Finally, I highlight the literature on worthy victimhood – which portrays "worthy" victims as white, middle-class, and female – and discuss how stereotypes of certain groups of people are challenged and/or reinforced by officers. I argue that differential officer responses are a result of officers' own biases and adherence to stereotypes about certain types of people, which ultimately perpetuates broader social inequalities. Taken together, my research demonstrates that several extra-legal factors have an impact on police officer decision making. In addition, my findings add nuance to understanding the intersection of policing, discretion, and domestic violence.

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CHAPTER 1

INTRODUCTION, BACKGROUND, AND SIGNIFICANCE

Although rates of violence between partners in an intimate or romantic relationship have declined in the past two decades (Truman and Morgan 2014), it remains a serious and persistent problem within the United States (Gover, Paul, and Dodge 2011). Estimates suggest that there are nearly 10 million domestic violence victims annually, with one in four women and one in seven men experiencing severe physical violence by an intimate partner within their lifetime (Black et al. 2011). The consequences of abuse between intimate partners are far-reaching. Millions of people seek medical treatment in emergency rooms for abuse injuries each year (Hattery 2009), and police departments receive more calls for domestic violence-related incidents than for all other violent crimes combined (Corcoran, Stephenson, Perryman and Allen 2001; Garcia 2003; Klein 2009).

In contemporary times, the frequent interaction between law enforcement officers and civilians involved in domestic violence seems commonplace. But, within a historical context, police responding to domestic violence calls is new. The issue emerged in the 1970s and 80s as the feminist movement brought attention to the inadequate responses of the criminal justice system to cases of domestic violence. In addition, the Minneapolis Domestic Violence Experiment and a few high-profile domestic violence cases resulted in a shift in police policy. Police departments began to recognize their liability in domestic violence cases and implemented mandatory and pro-arrest laws in place of previous mediation techniques. These new laws, still in effect today, require or encourage

an arrest to be made when responding to a domestic violence incident. It was proposed

that arrest laws would limit police officer discretion and thereby reduce discriminatory

treatment of victims and offenders (Robinson and Chandek 2000); however, their success

in this regard has been limited. In many police departments, even when arrest laws are in

place, arrest in response to domestic violence calls remains non-routine (Buzawa and

Buzawa 2003; Sun 2007). In fact, the likelihood of arrest in a jurisdiction with a

mandatory arrest policy is only about 50% (Eitle 2005). This disparity between laws and

actual police practice is commonly cited in the literature (Holmes 1963; Lipsky 2010;

Miller 1999; Trujillo and Ross 2008) and suggests that officers still employ discretion

over how to respond to domestic violence calls in the field. This begs the question: what

factors beyond legal policy impact officer discretion? This question provides the impetus

for this dissertation.

Drawing on in-depth semi-structured interviews, ethnographic fieldwork, and

archival sources, and informed by the literature on police discretion, organizations, and

domestic violence, this dissertation has two primary objectives. First, I add to the

theoretical literature on police discretion by examining the extent to which specific extra-

legal factors influence police officer perceptions and decision-making in the field. Extra-

legal factors are characteristics of a situation that are not legally relevant to an arrest

decision (Kochel, Wilson, and Mastrofski 2011). Research suggests that officer discretion

is affected by several extra-legal factors, including organizational, social and political,

situational, and attitudinal factors, as well as demographic characteristics of the victim,

suspect, and individual officer. While some extra-legal factors have been found to

"significantly impact officers' decisions, net of legal factors" (Lee, Zhang and Hoover 2012: 157), the literature on the impact of specific extra-legal factors on police responses is largely inconclusive (Dichter, Marcus, Morabito and Rhodes 2011; Sun and Chu 2010). This study addresses some unresolved questions about the impact of specific extra-legal factors including, what is the impact of organizational factors on officer discretion? And, to what extent does the social positionality of various actors (victims, offenders, and police officers) impact on police officer's discretion in the field?

Second, this dissertation informs public policy surrounding police's current domestic violence protocol. This objective reflects a major tenet of feminist epistemology, which emphasizes research with practical and/or political significant (DeVault 1999; Miller 1999). To accomplish this objective, I utilize a ground-up approach by soliciting policy recommendations from officers in the field, coupled with my analysis. As the people who implement domestic violence laws "on the ground," these officers have firsthand experience with what does and does not work. By focusing on their perceptions, motivations, and experiences, I provide a more nuanced understanding of police decision-making and the implementation of policy.

After a brief discussion of terminology used throughout this dissertation, I review the theoretical scholarship that provides the foundation for this work. This includes literature on police discretion and decision-making, with an emphasis on Lipsky's (2010) theory of street-level bureaucrats. I then turn to a historical review of policing and domestic violence, to provide context for understanding current laws that aim to limit police discretion. From there, I review the empirical research on extra-legal factors that

influence police discretionary decisions. I conclude with an outline and brief description of the subsequent chapters within this dissertation.

Definition of Terms

"Family violence," "domestic violence," "interpersonal violence," "spousal abuse," "wife abuse," and "wife battering" are but some of the terms that have been used in the literature to describe violent acts within the family (Hoyle 1998). Most of these terms have been met with contention. The first three terms have been critiqued as overly broad as they encompass violence between various family members – such as parent and child, siblings, and spouses, thereby suggesting homogeneity between these distinct forms of violence. "Spousal abuse" is limited by its inability to account for violence between same-sex couples (in places where same-sex marriage is not legally and/or socially recognized), unmarried couples who are cohabiting, or separated or divorced couples. "Wife abuse" has been faulted for its exclusion of male victims of violence.

"Wife battering" and "battered wife syndrome" have also been heavily critiqued. First, this terminology does not adequately reflect the ways in which female victims understand their own experiences (Barnett, Miller-Perrin, and Perrin 2011; Kelly and Radford 1996). Second, it shifts the focus from the perpetrator to the person being abused, which is akin to victim-blaming rhetoric (Johnson 1995). Third, the notion of "battered woman syndrome" is based on a white, middle-class model and thus, does not sufficiently account for the diversity of experiences among female victims (Sokoloff and Laughon 2007). Last, such terminology emphasizes individualized rather than structural issues surrounding domestic violence in American society (Rothenberg 2003).

In addition to the debates within the academic literature surrounding terminology, there is a mismatch between the language used by academics and law enforcement. "Domestic violence" has been criticized by feminist scholars who argue that this gender-neutral term masks the fact that the strongest predictor of victimization is being female (Browne 1987; Hattery 2009). Yet, this is the term that is used by law enforcement and, as this research is interested in the experiences of police officers, this is the term that will be adopted throughout this dissertation. To be clear, California law defines domestic violence as "abuse committed against an adult or minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship" (Penal Code §13700 B). This is definition of domestic violence I use. Thus, this study focuses specifically on violence between persons within (or previously in) an intimate, romantic relationship. Same-sex partners are included in this study. But I will not address parent-child violence, sibling-sibling violence, or elder abuse.

I also utilize the highly contentious term "victim" when discussing people who have experienced domestic violence. Beginning in the 1980s feminists began to re-label women in abusive relationships as "survivors" in an effort to emphasize the decisions women make to escape, to end the violence, or to cope with it rather than depicting them as "victims" with no agency (Johnson and Ferraro 2000). While I recognize the problems associated with the word "victim," I have chosen to use this term as it reflects the language used by law enforcement officers who respond to domestic violence incidents.

Finally, this dissertation is concerned with police discretion; thus, a definition here is warranted. In the literature (discussed more fully in the following section), police discretion is broadly conceptualized as the day-to-day decision's officers make "based on that individual's judgement about the best course of action" (Walker and Katz 2013: 351). Historically, these decisions were assumed to be guided solely by the law (Davis 1975). Yet, the literature demonstrates that officers often do not follow the law (Avakame and Fyfe 2001; Eitle 2005). Thus, the law does not always dictate actions. Instead, police often use their personal discretion to determine how to respond to a specific case.

In addition, police discretion does not exist in a vacuum, whereby an officer's response to each case is unique. Rather, discretion is shaped by past experiences and knowledge. Officers "draw distinctions, they generalize - in short, they fashion a coherent set of beliefs to guide their actions. These beliefs structure their perception of events and their definition of the situation and provide the norms and standards that influence their judgment of alternative courses of action" (Brown 1981: 7). These beliefs inform police behavior, which can include action as well as inaction (Groeneveld 2005). Regarding domestic violence, police responses can include arrest, mediation, separating the parties, taking a report, referral to a specialized or social service agency, or taking no action at all (Walker and Katz 2013). Each of these responses represent police discretion.

Theoretical Framework: Street-Level Bureaucrats, Discretion and Decision-Making

Since its "discovery" in 1956 (Kleinig 1996), social science research regarding police discretion has flourished and has become the "most studied aspect of police behavior" (Carter 2006: 592). Nickels (2007: 570) goes as far as saying the "discovery"

of discretion was "the single most important event in the history of criminal justice studies." Early analyses of policing highlighted non-enforcement responses and the inability of formal laws to completely curtail police discretion (Goldstein, J. 1960; Goldstein, H. 1963). Given that police work has low visibility beyond the scope of fellow officers, officers exercise considerable discretion when deciding whether or how to apply the law (Rowe 2007). While formal laws are put in place to limit officer discretion, they often fall short. Additionally, informal rules also guide officer decision-making and responses in the field. In this section, I review Lipsky's seminal theory of street-level bureaucrats, which provides insight into officers use of discretion in the field.

Lipsky (2010) contends that street-level bureaucrats, or public servants who have direct interactions with citizens, are responsible for implementing public policies and laws. Street-level bureaucrats include teachers, police officers, social workers, judges, health care workers, etc., who are tasked with making on-the-spot decisions regarding public policy enforcement (Buvik 2014) as they intervene in the daily lives of citizens (Van Maanen 1974). As such, street-level bureaucrats have substantial discretionary power over how public benefits or sanctions are allocated to citizens. However, because street-level bureaucrats lack the time, resources, and information to uniquely respond to each individual case, differential distribution of services to citizens is common, where some citizens receive services/sanctions and others do not (Lipsky 2010). For instance, in an analysis of patrol officers' use of discretion in nightlife settings, Buvik (2014: 2) found that officers sought to resolve alcohol-related cases in the "easiest way possible." That could involve arresting the offender, taking them to the station to sober up, dropping

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them off at home, or providing some other response (Buvik 2014). Excluding arrest, these

officer responses suggest under-enforcement of legal policy (Groeneveld 2005). This is

indicative of the fact that officers simply do not have the time or resources to enforce

every law at all times (Rowe 2007); thus, they must use their judgement to manage large

caseloads within the confines of limited resources.

In addition to limited resources, officer discretion is restricted by the norms and

expectations of the larger legal structure (Kleinig 1996), including the policy objectives

promoted by street-level bureaucracies (government agencies that employ street-level

bureaucrats) and larger political processes (Lipsky 2010). Drawing on Dworkin's (1978)

metaphor, discretion can be understood as the hole in a doughnut. The hole is surrounded

and limited by the ring of the doughnut, which represents the institutional, moral, and/or

administrative constraints within the larger social structure (Kleinig 1996). Similarly, the

phrase "street-level bureaucracy" illustrates this paradox, such that "'bureaucracy'

implies a set of rules and structures of authority [and] 'street-level' implies a distance

from the center where authority presumably resides" (Lipsky 2010: xii).

Thus, police discretion reflects the dialectical relationship between individual

officer behavior and bureaucratic constraints (Lipsky 2010). This relationship is cited by

Brown (1981: 31) as the key to understanding police officer discretion:

> the discretionary choices of street-level bureaucrats are largely shaped by the
> values and beliefs of the decision maker *and* the goals, incentives, and pressures
> of the bureaucracy. The decision rules, values, and priorities of operational
> discretionary choices are determined by the joint impact of the bureaucratic
> requirements for stability and the maintenance of integrity, and by the need for
> street-level bureaucrats to adapt to these organizational pressures while
> performing an arduous and difficult task (emphasis in original).

This paradoxical relationship highlights the complexity surrounding police discretion. Individual officer decisions are embedded within the larger criminal justice system, whose laws, policies, and regulations are implemented to limit officer discretion; yet, officers make individual choices based on their social location, personal values, and adherence to informal rules. In this way, Lipsky's theory speaks to the disparity between police laws and policies as they are written and their implementation (Goldstein, J. 1960; Goldstein, H. 1963). In other words, even when formal laws and policies aim to limit officer discretion (such as mandatory and pro-arrest domestic violence laws, to be discussed in the forthcoming section), discretion cannot be entirely eliminated. Discretion is, thus, an inevitable dimension of policing (Rowe 2007).

Lipsky's (2010) theory of street-level bureaucrats provides a foundation for understanding police discretion and provides several assumptions that guide this dissertation. First, police responses to domestic violence calls are inherently complex (Kleinig 1996; Logan, Shannon and Walker 2006), which warrants continued research on police discretion. Second, officer discretion is unavoidable because officers are forced to juggle conflicting expectations – i.e., follow the laws and policies and protocol of the organization, which involves processing and managing a mass amount of cases, while also providing individual-level attention to each case (Lipsky 2010). Even when organizational-level laws and policies are put in place to limit officer discretion, discretion is not eliminated (Groeneveld 2005; Lipsky 2010). Thus, my dissertation operates under the assumption that police discretion reflects the interaction between structural restraints and individual officer agency (Hoyle 1998).

In the following section I provide a brief historical review of legal responses to domestic violence cases, highlighting the impact of structural factors on officer responses and discussing the development and implementation of mandatory and pro-arrest laws. In the process, I draw on the aforementioned framework to examine why these laws have failed to curtail unauthorized officer discretion.

Police Policy and Domestic Violence: A Historical Review

Officer's discretion in domestic violence cases has changed substantially in the past 50 years. Historically, domestic violence cases were considered "private, family" matters that should not involve the criminal justice system (Gover, Paul, and Dodge 2011). Minimal legal involvement was common, and in many cases, police would intentionally delay their response to domestic violence calls them in hopes that the problem would resolve itself at home, or that the assailant would leave before police arrived. In the 1960s, the "Department of Justice provided funds to police departments nationwide to train law enforcement officers on counseling and mediation techniques when handling domestic violence calls" as a means of reducing the risk of violence to the victim as well as the responding officer (Feder 1999: 50). Despite its good intentions, this approach was criticized as too lenient on offenders, who were often not sufficiently deterred from revictimizing their partner.

Although historically there were many reasons why officers felt hesitant to impose legal sanctions on domestic violence offenders (such as the common belief that domestic violence is a "private" family matter or that victims will not prosecute), the most serious impediment to police responses to domestic violence cases was structural

(Buzawa and Buzawa 2003; Feder 1999). Police were legally constrained by the law in that most domestic violence calls were misdemeanors that required the officer to witness the incident before making an arrest. Without witnessing the incident, "the officer needed to first obtain an arrest warrant…[which] necessarily meant that for most domestic violence calls police did not have legal authority to make an immediate arrest" (Feder 1999: 51). Consequently, very few instances of domestic violence resulted in arrest or prosecution of the perpetrator (Feder 1999).

The push for change in police responses to domestic violence resulted from a combination of political and legal pressure, headed by the feminist movement. The feminist movement drew attention to the inadequate responses of the criminal justice system to cases of domestic violence as well as other social issues of interest to women. Women's rights and feminist activists recognized the severity of violence against women within various contexts including rape, stranger assaults, and domestic violence and sought to raise consciousness about these previously invisible social problems (Buzawa and Buzawa 2003). Similarly, victim advocates, in association with shelters and legal service networks, highlighted the lack of support provided by criminal justice agencies for assisting domestic violence victims.

During this time, several lawsuits were filed against police departments for failure to respond to domestic violence calls (Feder 1999). While cases such as *Scott v. Hart* (1976) and *Bruno v. Codd* (1977) resulted in informal agreements made by police agencies to treat domestic violence as a serious crime, no significant changes to the law or legal policies were made until the case of *Thurman v. City of Torrington* (1984)

(Buzawa and Buzawa 2003; Feder 1999). This landmark case resulted in a "shift toward offender-based criminal justice interventions" (Barner and Carney 2011: 236) when the U.S. District Court for Downstate Connecticut found the Torrington Police liable for the injuries endured by the victim, Tracey Thurman, after numerous attempts to file formal complaints were ignored or rejected by the police department (National Center on Domestic and Sexual Violence 1985). During the final violent incident, Tracey was repeatedly stabbed by her husband in the chest, neck and throat, resulting in paralysis below the neck and permanent disfigurement (Buzawa and Buzawa 2003). Twenty-five minutes after Tracey's initial 911 telephone call for help, the Torrington Police Department responded, arrested Tracey's husband, and took him into custody.

The court found the police department liable for negligence and failure to provide equal protection under the law – that is, the "evidence showed that police protection was fully provided to persons abused by someone with whom the victim had no domestic relationship, but the police consistently afforded lesser protection when the victim was a woman abused or assaulted by" an intimate partner (National Center on Domestic and Sexual Violence 1985). Tracey was awarded $2.3 million and police departments became increasingly fearful of liability lawsuits, resulting in more stringent police policies and laws (Buzawa and Buzawa 2003).

In combination with mounting political and legal pressure, the factor that resulted in substantial changes in police department laws and policies regarding domestic violence was the Minneapolis Domestic Violence Experiment (Feder 1999). This experiment found pro-arrest and mandatory arrest policies to be more effective in reducing domestic

violence recidivism than previous policies, such as separating couples or providing

mediation (Kramer and Black 1998). Despite the inconclusive findings of numerous

replication studies, the results of the Minneapolis experiment were widely accepted, and

many police departments across the United States immediately put them into practice

(Hovell, Seid and Liles 2006; Sun 2007; Whetstone 2001).

Currently, 22 states and the District of Columbia have mandatory arrest laws in

place for domestic violence incidents and 6 states have pro-arrest laws. Mandatory arrest

laws *require* officers to make an arrest in "cases where officers have probable cause to

believe that an act of domestic violence has occurred" (Han 2003: 159). Similarly, pro-

arrest laws *allow* an officer to arrest a domestic violence suspect without a warrant if the

officer "has reasonable cause to believe that the person to be arrested has committed the

assault or battery" (California Penal Code §836). The remaining 22 states utilize

discretionary arrest laws, whereby arrests are made based on the responding officer's

discretion (National Institute of Justice 2008). In addition, some states, such as

California, have pro-arrest *laws* at the state level, but mandatory arrest *policies* at the

departmental level.[1]

Mandatory arrest laws and policies have not escaped criticism, however. Some

feminist scholars disapprove of mandatory arrest laws and policies, as they require an

arrest to be made regardless of the victim's wishes. They argue that this requirement

removes the victim's agency, amounting to re-victimization (Han 2003; Hoyle and

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[1] A brief note about terminology: Policies are not the same as laws, although there is overlap. Policies are more stringent and, according to respondents, are a mechanism department's use to reduce their liability risk. Still, policies and laws work together to achieve a stated goal and sometimes policies help to identify new laws that need to be passed in order to achieve these goals.

Sanders 2000). As feminist scholars demonstrate, domestic violence goes above and

beyond one partner seeking to physically harm the other partner. Perpetrators use

violence to instill fear, thereby giving the perpetrator power and control over the victim

(Han 2003; Yllo 2005). Thus, "when a state or advocate forces a woman to leave or to

take other action, rather than empowering her to make these decisions on her own, the

state has simply succeeded in transferring power from one controlling entity to another"

(Han 2003: 166). Relatedly, mandatory arrest laws and policies operate under the

assumption that victims are a homogenous group, with similar wants and needs regarding

police intervention. In this way, mandatory arrest laws and policies disempower victims

and may not adequately account for their unique circumstances.

Subsequent research on the effectiveness of mandatory arrest has produced

inconsistent results, resulting in additional critiques of these laws and policies. Following

the Minneapolis Domestic Violence Experiment, the National Institute of Justice funded

six experimental replication studies to examine the impact of arrest on domestic violence

recidivism. Results from the replication studies were inconclusive and, in the Charlotte,

North Carolina replication, the researchers found that arrest sometimes resulted in an

escalation of violence and increased risk of danger for the victim (Hirschel, Hutchinson,

Dean, Kelley, and Pesackis 1991). Coupled with the fact that a very small proportion of

arrested offenders spend a substantial amount of time in jail (Buzawa and Buzawa 2003),

mandatory arrest laws and policies may be ineffective.

In their study of police responsiveness to domestic violence in heterosexual

relationships with a male perpetrator and a female victim, Avakame and Fyfe (2001: 35)

found that in many police departments, even those with mandatory arrest policies, "officers simply choose to ignore 'some of the rules'." This practice resulted in "biased, inconsistent, and inadequate" legal responses by responding police officers, despite mandatory and pro-arrest policies (Trujillo and Ross 2008: 455). This situation may be because, while mandatory arrest policies aim to limit police officer discretion via protocols that guide officers when responding to domestic violence calls, these policies simply shift "the locus of police officers' exercise of discretion to the determination of probable cause" (Hovell, Seid and Liles 2006: 139). That is, even in departments with mandatory or pro-arrest policies, the responding officer still holds a fair amount of discretionary power to determine what constitutes "probable" or "reasonable" cause when handling a domestic violence call (Hovell, Seid and Liles 2006).

Other studies demonstrate that while mandatory arrest laws and policies have resulted in higher arrest rates, "the average arrest risk in jurisdictions that have employed a mandatory arrest policy is still only 50%...[and] the difference in the average arrest risk between jurisdictions that employed a mandatory arrest policy and those that did not was only 5% (50% versus 45%)" (Eitle 2005: 590-591). Thus, officers still exercise a considerable amount of discretion regarding arrest decisions. Also, some evidence indicates that an increase in dual arrests, whereby both parties involved in a domestic violence incident are arrested, accounts for the increased arrest rate (Dichter et al. 2011; Hirschel, Buzawa, Pattavina, and Faggiani 2007; Worden 2000). Furthermore, critics of mandatory arrest laws and policies suggest that using already scarce resources to put

perpetrators, and sometimes victims, in jail has resulted in less resources being devoted to shelters and crisis interventions (Stalans and Finn 2000).

All in all, past research demonstrates the flaws associated with mandatory arrest laws and policies and points to the need for additional research on officer decision-making. Arrest laws and policies are limited in their scope as well as their ability to limit officer discretion. Resultantly, there is a disparity between street-level bureaucratic laws and policies and the implementation of these laws and policies by individual officers (Lipsky 2010). As previously discussed, officers are expected to both manage a large caseload and provide individual service. In simple terms, this expectation forces officers to choose between always following the rules or getting their work done. The literature on mandatory and pro-arrest laws and policies demonstrates this decision-making process and highlights the inability of officers to adhere to arrest laws and policies in every case to which they respond. Officers lack the time and resources to respond to every domestic violence case with the full power of the law. Rather, enforcement is tied to decision-making and their use of discretion.

Extra-Legal Variables Influencing Police Decision-Making

As past research demonstrates, how an officer responds in any given situation does not necessarily reflect departmental policy (Eitle 2005; Gracia, Garcia, and Lila 2008). Consequently, officer responses vary, even in departments with mandatory arrest policies for domestic violence incidents (Buzawa and Buzawa 2003; Eitle 2005; Gracia et al. 2008). Some research suggests the variation in police responses and decision-making can be attributed to extra-legal factors (Ferraro 1989; Gracia et al. 2008), characteristics

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of a situation that are not legally relevant to an arrest decision (Kochel, Wilson, and

Mastrofski 2011). For instance, Gracia et al. (2008: 697) found that even when

mandatory or pro-arrest policies are in place, the same domestic violence call could

"receive different police responses depending on extralegal criteria." A large body of

literature has identified several extra-legal factors that influence officer discretion

including situational, attitudinal, and organizational factors, as well as demographic

characteristics of the victim, suspect, and individual officer.

Situational Factors

Situational factors influence officer discretion more than other factors in many

cases (Feder 1999; Robinson and Chandek 2000; Trujillo and Ross 2008). There are both

legal and extra-legal situational factors that influence arrest decisions at domestic

violence calls. Legal factors include the seriousness of the crime and the strength of the

evidence, which are both positively related to the likelihood of arrest (Black 1971; Feder

1999; Ferraro 1989). A number of extra-legal factors have also been found to increase the

likelihood of an arrest being made, including the preference of the victim (Feder 1999),

the victim's level of fear (Trujillo and Ross 2008), the relationship between the victim

and suspect (Black 1971), the demeanor of the suspect (Worden and Shepard 1996), and

number of prior calls from the same household (Smith 1987). Additionally, in at least half

of all domestic violence cases involving the police, the perpetrator leaves the scene

before officers arrive (Worden 2000). Thus, one of the strongest predictors of arrest is the

presence of the offender at the scene (Robinson and Chandek 2000).

Attitudinal Factors

Officer attitudes towards domestic violence and domestic violence victims have also been shown to influence officer responses to domestic violence calls (Gover, Paul, and Dodge 2011). The literature consistently demonstrates that police officers experience a myriad of negative emotions regarding domestic violence calls. Often, these emotions reflect gendered assumptions that associate domestic violence with being a "female" problem that is more appropriately dealt with by social workers rather than police officers (DeJong, Burgess-Proctor, and Elis 2008). Officers often define "real" police work in relation to "extraordinary events such as the ability to save a life" which are contrasted with "social service" calls, including domestic violence cases (Kurz 1992: 31). Similarly, some officers also adhere to the stereotype that domestic violence calls are the result of verbal family disputes, which should not concern police officers (Gover, Paul, and Dodge 2011). Resultantly, officers often describe domestic violence arrests as being "a waste of time" (Ferraro 1989: 67) and thus, may be less inclined to make arrests in these cases.

Organizational Factors

Much of the existing literature on the impact of organizational factors on police discretionary behavior is decades old and concerned with bureaucratic complexity and structure (Brown, 1981; Mastrofski et al. 1994; Monkkonen 1981; Talarico and Swanson 1978). Contemporary research is limited, with a few exceptions. Eitle, Stolzenberg and D'Alessio (2005: 30) considered the influence of police organizational factors on arrests in aggravated and simple assault cases and found that "departments with more written policy directives, relatively larger administrative component, a higher educational-level

requirement, and centralized police departments have the highest arrest probabilities." On the other hand, Chappell, MacDonald, and Manz (2006) found that, except for unionization, organizational factors did not significantly influence officer arrest rates.

Individual/Demographic Factors

Officer demographic characteristics constitute a "critical set of variables" affecting officer responses to DV calls (Buzawa, Buzawa, and Stark 2017: 177). Still, there have been inconsistent findings regarding the influence of certain officer characteristics, particularly gender and race (Robinson and Chandek 2000). Some studies find that officer gender has an impact on their responses to DV cases, while other studies find a weak relationship between officer gender and responses (see Poteyeva and Sun 2009 for a review). Similar inconsistencies have been found regarding the impact of officer race on police responses to DV calls (Gover, Paul, and Dodge 2011; Robinson and Chandek 2000; Trujillo and Ross 2008). Scholars have also examined officer age, police experience, and education (Chappell, MacDonald, and Manz 2006; Logan, Shannon and Walker 2006; Stalans and Finn 2000) and have found inconsistent results.

Finally, research suggests that demographic characteristics of victims and offenders may influence officer responses and decisions to arrest in domestic violence cases (Buzawa and Buzawa 2003). Regarding gender, DV-related arrests have been found to be less likely in cases with a male victim (Brown 2004; Buzawa and Buzawa 2003), in part due to underreporting (Felson and Paré 2005; Kingsnorth and Macintosh 2004). Still, we know little about how officers' social expectations relate to how they perceive and respond to male victims (Buzawa, Buzawa, and Stark 2017). In addition,

although the association between race and the actions of law enforcement officers has been extensively studied (Eitle, Stolzenberg, and D'Alessio 2005), there is some debate as to whether officers are more or less likely to arrest in domestic violence cases involving people of color. Some research suggests that arrests are less likely (Buzawa and Buzawa 2003; Eitle, Stolzenberg, and D'Alessio 2005; Smith 1987), while other studies find that race is not a significant predictor of arrest in domestic violence cases (Hall 2005; Jasinski 2003; Robinson and Chandek 2000). Finally, the literature on police responses to domestic violence within gay and lesbian intimate relationships is still in its infancy; however, there is some evidence that police responses do not significantly differ between heterosexual and same-sex cases (Pattavina et al. 2007; Younglove, Kerr, and Vitello 2002).

Outline of the Dissertation

This chapter reviewed the literature on police discretion and decision-making and extra-legal factors that influence police discretionary decisions. I also provided a historical review of policing and domestic violence to provide context for understanding current laws and policies that aim to limit police discretion. This review showed that the impact of extra-legal factors on police decision-making in domestic violence cases is largely inconclusive, and thus, additional research is warranted. This chapter also presented the two research objectives: first, to add to the theoretical literature on police discretion by examining the extent to which specific extra-legal factors influence police officer perceptions and decision-making in the field and, second, to inform public policy surrounding police's current domestic violence protocol.

In chapter two, I discuss my methodological approach which includes a description of my research design, sample and data collection process, analysis and coding techniques. I also briefly reflect on how my positionality impacts my approach to this topic as well as my relationship with participants.

Chapter three considers how the organization and structure of policing as an institution influences officer discretion. This chapter contributes to the organization literature by examining how police organizations influence the behavior of their employees through policy, training, and culture. I find that bureaucratic expectations and constraints regarding policy and process significantly influence police behaviors and perceptions of DV calls. Officers cite several issues and frustrations with the bureaucratic process and suggest that these constraints impede their ability to create lasting change for DV victims. In addition, I note inconsistencies between formal police training, which is victim centered, and the "hidden curriculum," which often presents domestic violence cases in a negative light. In doing so, I show how police perceptions and responses to domestic violence calls are shaped by the informal values that are promoted within the organization. This chapter offers insight into how officer discretion is impacted by organizational structure and bureaucracy.

Chapter four examines the influence of officer demographic characteristics on responses to domestic violence in the field. In support of the "difference perspective," I find that officer perceptions of themselves and their abilities differ based on gender and race. Women officers were perceived to be better able to respond to domestic violence calls because of essentializing characteristics such as being empathetic and more

communicative than men officers. I argue that these perceptions contribute to policing as an inequality regime and site of inequality reproduction as they reinforce the notion that domestic violence calls are "women's work," and that women officers have unique "natural" (i.e., emotional) abilities that they bring to the table. In addition, while officers of color often expressed different perceptions regarding their efficacy as officers, I did not find these race-based differences permeated the larger organizational culture in the same way as gender. This chapter contributes to the literature on organizations as inequality regimes (Acker 2006) by considering how officer gender and race influence perceptions of officer efficacy.

In chapter five, I analyze how police officers and sheriff's differently construct domestic violence cases depending on the demographic characteristics of the victim and offender. I highlight the literature on worthy victimhood – which portrays "worthy" victims as white, middle-class, and female – and discuss how stereotypes of certain groups of people are challenged and/or reinforced by officers. I show how most respondents reinforced stereotypes of victims and offenders based on gender, sexual orientation, and/or race, and, in some cases, these stereotypes directly influenced officer interactions with civilians. The chapter concludes with an assessment of how differential officer responses may be a result of officers' own biases and adherence to stereotypes about certain types of people. This provides insight into how officers perpetuate or undermine broader inequalities through their policing of crime.

The final chapter highlights the theoretical contributions of this research to the criminological literature on discretion and decision-making, the organizational literature

on bureaucracy and institutions, and the feminist literature on domestic violence. In addition, I discuss the policy implications based on my analyses as well as the recommendations of the respondents for improving the current system. I conclude with a discussion of my study limitations and a call for future research.

CHAPTER 2

METHODS

While there have been numerous studies on police responses to domestic violence (DV) that utilize hypothetical scenarios or survey methods, scholars point to a dearth of qualitative research that documents police officer attitudes towards and responses to domestic violence calls (Gover, Paul, and Dodge 2011; Horwitz et al. 2011). More generally, there is a lack of research that incorporates the voices of officers in the field who handle these calls daily, with some work attempting to "make claims about officers' underlying motivations based almost solely on the experiences and statements of the policed" (Stuart 2016: 257). That is, some studies draw on civilian experiences with law enforcement officers to inform understandings of police motivations, rather than going directly to the source. Thus, qualitative data from police themselves is necessary for examining the influence of extra-legal factors on officer responses to domestic violence cases (Johnson 2004; Sun 2007). In the current study, I draw on in-depth, semi-structured interviews with law enforcement officers, coupled with ethnographic fieldwork and archival data, to examine the impact of these factors on differential officer perceptions and responses in the field. I address the following research questions:

1. What is the impact of extra-legal factors on officer discretion?

    a. How does organizational policy, processes, training, and values influence officer discretion?

b. How do officer demographic characteristics (gender and race) shape perceptions of officer ability and police responses?

c. How do civilian demographic characteristics (gender, sexual orientation, and race) influence police discretion?

    i. To what extent do officer's challenge and/or reinforce gendered, sexual orientation, and race-based stereotypes among civilians?

Context

My research takes place in Southern California. The vast size and prevalence of domestic violence calls make California an ideal location for studying law enforcement officer responses to domestic violence. Estimates suggest 5,700 California victims are served by local DV programs every day (Rastegar 2017). In addition, 32.9% of women living in California have experienced physical violence, sexual violence, or stalking by an intimate partner at some point in their lives (National Coalition Against Domestic Violence (NCADV) 2016). This is higher than the national average and is equal to about 4.5 million Californian women (NCADV 2016). Furthermore, domestic violence fatalities in California comprise 11.8% of all homicides (NCADV 2016), making domestic violence an especially dire social problem for California residents. To ensure participant confidentiality, I will not disclose the names of the specific law enforcement agencies I worked with.

Gaining Access

Researching the police, an organization that is traditionally resistant to outside scrutiny (Belur 2014; Punch 1993; Reiner and Newburn 2008), is never easy. This was

true despite having personal relationships with two officers who were willing to help me establish rapport and locate officers to interview. One of these officers is my aunt and the other is her wife. Both are white, female officers who have been in law enforcement for over 20 years. One is a sergeant and the other is a patrol officer within the same police department. These personal relationships were vital for obtaining institutional support to interview officers, which I received from the Commanding Officer. In addition, my personal relationships with these "insiders" proved instrumental for recruiting officers to speak with me.

Additional participants were identified through snowball sampling. I ended each interview with a request for other officers' information who might be interested in being interviewed. Most interview respondents were recruited this way. Yet, many times, the original participant said they knew someone and would have them contact me, but I never heard from them. I limited my follow ups with the original participant to two times. In other cases, someone would contact me and say they were interested in participating but would "delay or prevent the actual completion of the interview" (Warren 2011: 11). In a few cases, it took over six months from initial contact to complete an interview.

After recruiting officers within one police department (PD) for about 10 months with moderate success, I expanded my scope and began recruiting respondents from a sheriff's department (SD). I cold called a handful of SD patrol stations and left messages for the captains. Only one captain got back to me and, despite her personal endorsement of my project, advised that her higher ups would not allow me to interview their sheriff's deputies for fear of establishing a precedent where all subsequent research projects would

have to be granted access. However, I was advised that I could speak with willing

detectives within the department. This avenue provided 10 additional respondents, each

working as a detective.

The prevalence of DV in California has led to the creation of various Domestic

Violence Task Forces and additional programs aimed at assisting DV victims. One of

these programs is the Specialized Domestic Violence Team (SDVT), which is a crisis

response team that pairs police officers with civilian advocates to respond to reported

domestic violence incidents. Officers assigned to the SDVT unit undergo extensive

individual training and are regularly updated about the latest domestic violence laws. The

PD I sampled from is affiliated with a SDVT. This group responds to reported incidents

of DV and provides victims with resources. This work can involve working with the

victim to create a safety plan, helping the victim file a restraining order, providing a

referral to a shelter, and/or offering other resources applicable to the situation. This

program also provides follow-up services for each case they handle. That is, they remain

in contact with the victim and offer additional resources if appropriate. I completed a 10-

week, 40-hour DV course to become a victim advocate in September 2015. My

ethnographic fieldnotes emerged from my role as a victim advocate and consist of 135

hours of participant observation in this capacity from October 2015 to August 2017. I

was also able to identify and recruit a handful of officers to be interviewed through my

participation in the SDVT. Since I spent a significant amount of time at the police station

as an advocate, I became a familiar face, which resulted in a few officers agreeing to be

interviewed.

Data and Procedures

The data used in this research were triangulated and came from semi-structured interviews, participant observation, and archival sources. I conducted thirty-one semi-structured interviews with active duty police officers, sheriff's deputies, detectives, and a sergeant. Most interviews were one-on-one (N = 25), with one group interview with six detectives. Interviews lasted between 35 minutes and 2 ½ hours, with the average interview lasting approximately an hour. Interviews were conducted at a location of the participant's choosing. Most interviews took place at the respondent's workplace – police/sheriff's stations, although a handful of interviews were conducted at coffee shops, cafes, and restaurants. At the beginning of each interview, I explained who I was and briefly described how I became interested in studying policing and domestic violence. Participants were also given an informed consent form to read and sign, as well as an opportunity to ask questions before the interview began.

During each interview, I asked open-ended questions about departmental domestic violence policies, how effective they thought current policies were, and what suggestions they had for improving policies. I also asked about their general feelings and experiences with handling domestic violence cases and the challenges they faced while responding to these calls. Finally, I asked about the influence of extra-legal factors (i.e., gender, race, sexual orientation) on their responses to domestic violence calls. Although I had an interview guide, I allowed the conversation to flow naturally between topics, rather than enforcing a set order of questions. This also allowed for the introduction of additional topics I had not considered when creating my interview guide. For instance,

respondents spoke frequently about bureaucratic constraints. After being mentioned by a handful of respondents, I added additional questions regarding bureaucracy to my interview guide (See Appendix A).

Understanding people's meaning making is the purpose of qualitative inquiry (Warren 2011). As such, the interview data I collected are understood to be hermeneutic in nature, meaning they are recognized to be socially constructed by the respondents. The respondents' experiences and perceptions are socially, culturally, and historically constructed and are not taken to be universal truths. Furthermore, the data are interpretations of social experiences through the eyes of the respondents, where they defined their own understandings and used their own words, which maintained the focus on officer perceptions and experiences.

As an incentive to be interviewed, participants were offered a $50 Visa gift card at the end of the interview, although over half (N = 17) declined to take it. Some said it was against department policy and others suggested I keep it for myself (I didn't). A few officers who accepted the gift card advised that they would be donating it to one of their victim advocacy programs.

I digitally voice recorded all but two interviews after getting permission from the respondent. Two respondents opted out of the audio recording. In these cases, I took notes during the interview and then audio recorded the interview from my notes and memory as soon as possible after the interview was complete. After each interview, I also voice recorded my personal thoughts and reflections on the interview, noting the respondents perceived openness and emotional state, as well as any interesting topics that

came up, and any leads I should follow up on. Additionally, there were several informal conversations with officers that took place before and after the formal interview, or during car rides to the interview site, or while waiting in line for coffee or a quick bite to eat. Notes were also taken of these "unrecorded" interactions, as this data is often just as important as that collected during formal interviews (Warren 2011).

During my ethnographic fieldwork, my notes and observations were recorded in a stepwise fashion whereby I would make mental notes and short text-based notes while in the field, and then would expand on those notes in more detail at the end of each observation (Snow and Anderson 1987). I used my phone to record text-based notes during my participant observations. These notes were then used to refresh my memory when audio recording my fieldnotes during my commute home from the police station. The data I collected as a participant observer allowed me to compare what officers reported in their interviews with what they did in the field. This "reality check" is important as research participants tend to provide answers they think are "acceptable" when responding to research questions (Miller 1999). The audio interview and fieldnote files were subsequently transcribed by a professional transcription service.

In addition, I supplemented my interviews and fieldwork with over one thousand pages of records obtained through the California Public Records Act. My initial request for records and correspondence regarding departmental DV policy and related initiatives, email correspondence, meeting minutes, internal memoranda, policy information, and domestic violence statistics, was deemed by the District Attorney's Office as "too burdensome to fulfill." A few of my requests were also exempt from disclosure under the

Public Records Act and thus, were not released, including inter- and intra-agency memoranda and police records. Nevertheless, the documents that were provided helped me better situate my primary data and gave some insight into the historical and organizational culture surrounding domestic violence and policing. Moreover, throughout my 40-hour domestic violence advocacy training I obtained hundreds of documents regarding DV generally, California's penal code regarding DV, victim services, cultural competence, restraining orders, arrests, and criminal proceedings. Officers working in the SDVT must complete this same training; so, this information is particularly informative for understanding how officers are trained to respond to DV cases.

Sample

My sample consisted of 31 full-time law enforcement officers working in police and sheriff's departments in Southern California. I reached saturation with this number of interviews, meaning no new themes appeared in the data (Miles and Huberman 1994). Originally, my intent was to interview patrol officers who have the most direct contact with victims and offenders immediately following the DV event, but patrol officers were the most difficult to access because their time on the clock was spent constantly moving from call to call. Consequently, more than half of my sample was made up of detectives (N = 18), followed by SDVT/patrol officers (N = 12), and one sergeant. Each of these positions serve a different function within the police institution. Patrol officers are the largest group of officers within the institution and are the most visible. When a crime is reported, patrol officers are usually the first at the scene. They interview witnesses, help secure evidence, write reports, and ensure public safety. Whereas patrol officers are

mostly concerned with gathering information, detectives investigate crimes. Detectives

might be called to the scene of a crime to investigate, or they could be giving a report

about the incident from a patrol officer and then investigate the crime at a later time. All

detectives start out as patrol officers but can request to become a detective with enough

experience and training. Detectives can also be assigned to specific units. For example,

there are several detective divisions including gangs and narcotics, robbery and homicide,

and major assault crime (which includes DV), to name a few. A sergeant is a higher

ranked position than a patrol officer or detective and much of a sergeants role is

supervisory, although they may also assist with investigations. They may also respond to

a crime scene if requested by a patrol officer.

I also sought to include respondents who varied by race/ethnicity and gender.

Within both the PD and SD, about 18% of sworn officers are female and 82% are male,

with the majority identifying as "Hispanic American" (43-46%), "White" (34-41%),

"Black" (9-11%), and "Asian American" (7-9%). Less than 1% of officers identify as

"American Indian" or "Other." The sample consisted of 11 female officers (6 White, 4

Hispanic, 1 Black) and 20 male officers (11 Hispanic, 3 Black, 3 White, 2 Asian, 1 multi-

racial). Respondents had been working as officers or sheriff's deputies between 7 and 25

years, with a mean tenure of 15 years. For confidentiality purposes, pseudonyms are used

throughout this dissertation.

Table 1. Participant Characteristics

Pseudonym	Gender	Race	Rank/Position	Tenure (in years)
Ann	F	Black	Detective	22
Cecilia	F	Hispanic	Detective	15
Karen	F	Hispanic	SDVT Officer	8
Jennifer	F	Hispanic	Detective	12
Sheila	F	Hispanic	Detective	17
Taylor	F	White	Sergeant	25
Alice	F	White	Officer	25
Elizabeth	F	White	Patrol Officer	22
Evelyn	F	White	Detective	20
Judith	F	White	Detective	14
Reese	F	White	Detective	12
Luke	M	Asian	SDVT Officer	8
Garrett	M	Asian	Detective	12
Antone	M	Black	SDVT Officer	8
Preston	M	Black	Detective	12
James	M	Black	Detective	16
Caleb	M	Hispanic	Detective	17
Roberto	M	Hispanic	Patrol Officer	9
Edwin	M	Hispanic	SDVT Officer	20
Anthony	M	Hispanic	Patrol Officer	10
Mateo	M	Hispanic	Detective	16
Mark	M	Hispanic	SDVT Officer	11
Diego	M	Hispanic	Patrol Officer	10
Miguel	M	Hispanic	Patrol Officer	11
David	M	Hispanic	Detective	16
Ben	M	Hispanic	Detective	19
Eric	M	Hispanic	Detective	23
Adam	M	Multiracial	Detective	9
Gary	M	White	Detective	22
Phillip	M	White	SDVT Officer	7
Nick	M	White	Detective	16

Data Analysis

Consistent with much qualitative research, data collection and analysis occurred simultaneously throughout this project. This approach was necessary since data collection (particularly the ethnographic fieldwork) spanned close to two years. As the interview and fieldnote data were transcribed, the files were input into ATLAS.ti, a qualitative data analysis program, for coding. I utilized an abductive approach (Timmermans and Tavory 2012) to analyze the data. Abductive analyses are not fully inductive, as it is nearly impossible not to be influenced by past research and theory, nor are they fully deductive, as the researcher must remain open to unexpected findings (Deterding and Waters 2018). Thus, when analyzing my data, I read each transcript several times, noted emergent themes, considered how those themes connected to current literature, and then went back to the data with new questions and insight. As such, I continuously revised and expanded my code list to account for new themes and often returned to the data to ensure that the participants' intended meanings were maintained.

In addition, I hired four, female undergraduate research assistants to assist with coding. All four students were UCR Sociology majors in good academic standing. I trained each student in the use of ATLAS.ti and qualitative data coding. Each student was given a detailed codebook based on the most frequent codes that I identified during my own coding. These broad codes included: arrest, criminal justice system process, challenges for officers, challenges for victims, charges filed, class/SES, different than other crime, DV calls as dangerous, DV frequency, "good" vs. "bad" victims, improvement ideas, manipulating/playing the system, officer emotion, officer gender,

officer race, recanting, recidivism, training, "typical" DV case/process, victim gender,

victim culture/race, and victim blaming. I identified these codes through the frequency

count feature in ATLAS.ti. Known as selective coding, this allowed me "to sift through

large amounts of data" (Charmaz 2003:96). I was in consistent communication with each

student, meeting with each one in person or by phone bi-weekly. During our meetings we

went over the interview transcripts they coded, and I noted any inconsistencies between

their codes and mine. They would seek clarification about certain passages that they did

not know how to code. In some instances, they identified themes I had previously missed,

and those themes were added to the codebook. In addition to coding, my research

assistants provided a sounding board to discuss my analysis of the data.

Reflexivity

Qualitative research is influenced, in part, by the ways in which the researcher

approaches the field and the people being researched. "The interviewer, like the

respondent, participates in the interview from historically grounded biographical as well

as disciplinary perspectives" (Warren 2011: 20). To make the research more transparent,

"reflexivity and explaining the influence of the researcher on the research process is

necessary" (Belur 2014: 185). In this section, I briefly describe my personal background

and experience to provide the reader with some understanding of the lens through which I

approached, observed, and analyzed the data.

I approached this research from the perspective of a working-class white female

who witnessed domestic violence as a child and adolescent. My parents divorced when I

was an infant, and I spent most of my childhood under the supervision of my paternal

grandparents. My mother had various romantic partners during my childhood, some of whom physically and emotionally abused her. My father was also physically and emotionally abusive toward my paternal grandparents, sister, and myself. He was arrested on more than one occasion for his offenses.

As an undergraduate student at California State University Long Beach, I sought to come to terms with my own experiences and help others going through similar situations as a volunteer crisis counselor at a domestic violence shelter. I worked directly with children who had witnessed and/or experienced domestic violence, leading them in group discussions and art therapy. Shortly after, I began my PhD studies at the University of California Riverside. I was drawn to research on violence and completed my master's thesis on experiences of violence and abuse among the deaf. Given my personal experiences, it is perhaps unsurprising that I chose to study domestic violence for my dissertation research. Even still, I decided to focus on police perceptions and experiences of domestic violence, as opposed to victims or perpetrators – which may have hit too close to home.

In some cases, I shared my personal experiences with witnessing and experiencing violence with respondents either when introducing my project or during the interview process to help establish rapport. This resulted in some respondents disclosing their own experiences with violence and often led to conversations surrounding why they chose to go into law enforcement in the first place. I also selectively shared stories about my personal background, family, or knowledge of DV depending on the conversation and social cues being used by respondents (Reyes 2018). In this way, I drew on the invisible

tools in my "ethnographic toolkit" to form a connection with my respondents (Reyes 2018). These choices undoubtably shaped the information that respondents shared.

This project was also shaped by the methodological and theoretical training I received from the University of California, Riverside. In particular, I was trained as a qualitative researcher and a feminist criminologist. This shaped the questions I asked as well as the ways I interpreter and analyzed my data. For instance, during data analysis, I was particularly attuned to instances of victim blaming. This is likely a reflection of my feminist theoretical training. In sharing my experiences and perspectives, I aim to communicate to the reader that the researcher, methods, analyses, theoretical frameworks, and data are interdependent and interconnected (Mauthner and Doucet 2003; Reyes 2018). This research did not take place in a vacuum. It was influenced by "personal, interpersonal, [and] emotional" factors as much as by "epistemological, ontological, and theoretical assumptions" (Mauthner and Doucet 2003: 415).

Field Relations

Past research demonstrates that the personal characteristics of the researcher can impact the relationship between the interviewer and participant (Hammersley and Atkinson 2007). At the beginning of data collection, I was hyperaware of my identity as a young, female researcher, interviewing and interacting with law enforcement officers in a predominantly male space. It seemed, however, that my age and gender were often beneficial during my interactions. In reviewing my personal reflections after each interview, my sense was that most of the respondents were open and honest about their experiences, with a few exceptions. Perhaps respondents were more open with me

because of stereotypical gender discourses that guide interactions. As a woman, I was potentially seen as less threatening, even naïve, and thus, given access to information with more ease than a male researcher might have been (Hammersley and Atkinson 2007; Horn 1997). In addition, as a young researcher, I presented myself as a pseudo "student," and encouraged the respondent to take the role of a pseudo "teacher." This allowed respondents to maintain their sense of authority and provided a sense of control over the conversation. It also served to maintain the research focus on officer perceptions and experiences, rather than the researcher's perspectives.

In addition to age and gender, the status of the researcher can impact research on the police (Belur 2014; Horn 1997). Researcher status can be categorized into four main types: "insider (a police officer), outsider (an external researcher), inside-outsider (e.g. a civilian who works for the police organization) and outside-insider (e.g. an ex-police officer)" (Belur 2014: 187). As a domestic violence victim advocate volunteering with the police department, my status as an inside-outsider was advantageous in several ways. By virtue of spending over a hundred hours in the police station and on ride-alongs, I had regular contact with officers of different ranks and within various department and had easier access to information than an outsider. I also drew on my inside-outsider status when recruiting participants. I introduced myself as a graduate student researcher and DV victim advocate working with the police department, which gave me a certain amount of credibility. In other cases, I would mention my aunt's name to establish credibility with respondents. My aunt is high ranking (a sergeant) within the police department and well-regarded by many of the officers I spoke with. Thus, I was able to draw on my familial

social capital to establish a pseudo-insider status, gain access, and establish rapport (Reyes 2018). Even still, given the current political climate surrounding policing, in some cases, it was clear that my identity as a researcher ("outsider") trumped my identity as a pseudo "insider" and SDVT advocate, particularly among officers who did not personally know me. In those cases, it was more difficult to get officers to speak with me.

Conclusion

This dissertation aims to examine officer perceptions, experiences, and understandings of domestic violence cases and how these things relate to their discretion in the field. As such, qualitative methods were employed. The scholarly literature on policing and domestic violence is ripe with quantitative studies that use survey methods to examine police attitudes and hypothetical scenarios to determine potential police responses; however, there is a dearth of qualitative inquiry on the topic. Moreover, some qualitative studies seek to understand the police by considering the experiences of civilians, but these studies fail to incorporate the voices of police themselves. This dissertation addresses this gap by utilizing various qualitative methods, including interviews and ethnographic fieldwork, to capture law enforcement officer's perspectives on domestic violence.

CHAPTER 3

POLICY, PROCESS, TRAINING, AND CULTURE: HOW ORGANIZATIONAL FACTORS AND BUREAUCRATIC CONSTRAINTS IMPACT ON OFFICER DECISION-MAKING

While much research has considered the role of individual and situational factors on police discretionary behavior, little work has examined organizational factors (Groeneveld 2005). In this chapter, I expand on Lipsky's (2010) theory of street-level bureaucrats by considering how the organization and structure of policing as an institution influences officer discretion. I draw on and contribute to the organization literature by examining how police organizations influence the behavior and perceptions of their employees through policy, process, training, and culture. I find that officers express frustrations with bureaucratic policy and processes and argue that these constraints subsequently influence police behaviors and perceptions of domestic violence calls. This adds to the literature on occupational stress and burnout, which has rarely considered police samples (Burke and Mikkelsen 2006).

In addition, I add to the literature on the "hidden curriculum" (Snyder 1971) by highlighting the inconsistencies between formal police training, which is victim centered, and the informal values promoted within the organization, which often present domestic violence cases and victims in a negative light. I argue that these conflicting messages and presence of victim blaming rhetoric within the hidden curriculum normalizes domestic violence, disempowers victims, and has a negative impact on police-civilian interactions.

Police Organization and Discretion

Groeneveld (2005) argues that organizations are social control agencies that use various methods to influence the behavior of their employees. Within policing, the organization can have an impact on individual officer arrest decisions through official policy, process, training, and culture. These dimensions speak to the various "channels through which organizational management can attempt to influence or constrain the arrest behavior of officers" (Groeneveld 2005: 77).

The first dimension, legal policy, was originally thought to impact on every police action and be the most effective method for guiding police behavior (Davis 1975). From an organizational standpoint, written guidelines and procedures are intended to limit individual officer discretion and ensure that decision-making conforms to departmental policy (Groeneveld 2005). For instance, mandatory and pro-arrest domestic violence (DV) laws and policies were initially put in place to direct officers' actions in the arrest decision process. These laws and policies specify whether an arrest can and should be made in DV situations (see Chapter 1 for a review). Yet, regardless of changes in law and policy, arrest in response to domestic violence calls remains non-routine (Buzawa, Buzawa, and Stark 2017; Sun 2007), and police responses are often "biased, inconsistent, and inadequate" (Trujillo and Ross 2008: 455). In fact, some scholars argue that police largely tend not to follow formal rules (Feeley 2000), which suggests that officer discretion trumps mandated law and policy.

The second dimension, process, involves the "organizations' imposition of procedures that must be followed for officers to effect an arrest" as well as negative

sanctions and processes for detecting inappropriate discretionary decisions, including supervisory interventions, review processes, or formal sanctions (Groeneveld 2005: 80). For example, within many police and sheriff's departments, if the responding officer is unable to determine the primary aggressor in a DV case or if they want to make a dual arrest, a supervisor must be called to the scene. There is some evidence that "the presence of a supervisor forces the officer to consider department rules and closer conformance to the letter of the law" (Groeneveld 2005: 81). While this dimension does not necessarily affect the initial officer decision in the field, it may act as an organizational constraint by influencing future decisions.

The third dimension addresses training, the main way in which policies and procedures are communicated to officers with the intention to establish behavioral expectations for employees. Formal training in the police academy is the first encounter new recruits have with the police organization and sets the tone for their professional socialization (Prokos and Padavic 2002). It communicates to new officers what is important and lays out the protocol for how certain situations should be addressed. Police training has vastly improved over time, and the curriculum now covers not only the technical aspects of policing (e.g. affecting an arrest, firing a weapon, booking a suspect), but also human relations, ethics, and domestic violence (Walker and Katz 2013). In fact, the Bureau of Justice Statistics (2016) surveyed state and local law enforcement training academies and found that 98% include specific domestic violence training, with a median of 13 hours of DV related instruction. In addition, some police departments have implemented specialized DV response teams, which require affiliated officers to undergo

additional training. Specialized DV response teams reflect a move toward the community policing model, which promote collaborations between law enforcement agencies and social service providers (Hovell, Seid, and Liles 2006). Evaluation studies regarding the effectiveness of specialized DV teams suggest more positive outcomes than traditional police responses, highlighting the impact of specialized training on officer behavior (see Corcoran, Stephenson, Perryman, and Allen 2001; Hovell, Seid, and Liles 2006; Kramer and Black 1998; Reuland, Morabito, Preston, and Cheney 2006).

Culture, the final dimension (termed "values" by Groeneveld 2005), addresses how police culture affects officer arrest decisions by promoting certain behaviors and values. Police subculture theory speaks to this dimension and argues that officer behavior is more impacted by informal socialization than by the formal rules and regulations (Herbert 1998). Behavioral expectations and values may also be communicated through the informal "hidden curriculum" (Snyder 1971) that is present during officer training. The hidden curriculum encompasses the covert and unintended messages, norms, and values officers are taught that go outside of the formal curriculum. Several hidden messages have been found to be communicated to police recruits during their training. These messages include the notion that "real" learning happens in the field, not the classroom (Fielding 1988); "the organization does things to get boxes ticked," rather than to create lasting change (White 2006: 395); masculinity is an essential requirement of effective policing (Prokos and Padavic 2002); and despite formal curriculum that encourages community policing, informal values promote an *us* versus *them* mentality and paramilitary structure (Chappell and Lanza-Kaduce 2010). Moreover, Ford (2003)

found the use of "war stories," which emphasize the physicality of policing (e.g., foot chases, car chases, drug busts), to contradict the formal messages of the police academy, which emphasize problem solving and maintaining community order.

There may also be a hidden curriculum surrounding DV calls more specifically, as research suggests that officers negatively value these types of calls. In many cases, officers define "real" police work in relation to "extraordinary events such as the ability to save a life" which are contrasted with "social service" calls, including domestic violence cases (Kurz 1992: 31). In addition, officers express a myriad of negative emotions regarding DV calls, most notably feelings of frustration when a victim is "uncooperative" or does not press charges (Gover, Paul, and Dodge 2011; Hoyle and Sanders 2000; Kurz 1992; Sherman, Schmidt, and Rogan 1992). Consequently, domestic violence calls are thought to be a "waste of time" (Ferraro 1989:67) and occupy the lowest status of all police cases (Britton 2011). This low status may communicate a hidden lesson to officers: that DV is less important than other types of police work; a view likely tied to officer discretion in the field when responding to these calls.

Taken together, these four dimensions – policy, process, training, and culture – provide some insight into how organizations influence police discretion. The aim of this chapter is to consider how these dimensions operate regarding policing of DV cases.

Analysis

In this chapter, I focus my analyses on themes related to organizational factors including departmental policies, bureaucratic processes, training, and police culture. To get at policy, respondents were asked several questions, including, "What is the protocol

for responding to a domestic violence call?"; "What is departmental policy regarding DV? Mandatory/pro-arrest?"; "What is your primary goal when responding to a domestic violence call?"; "How do you determine the primary aggressor?"; "What do you do when the suspect is not present at the scene?"; "Do you think current policies are effective for addressing domestic violence?"; and "Do you think DV policies could be improved? If so, how?" Questions regarding the bureaucratic process included, "Can you describe the bureaucratic process of handling a DV call (arrest, investigation, prosecution, conviction)? What is your role in that process?"; "Why might a case be prosecuted versus not?"; and "What are the main challenges you face when responding/handling a DV call?"

Respondents were also asked questions about their training. This included, "How much domestic violence training did you receive during the academy?"; "Have you received any subsequent/specialized training?"; "Do you feel like you have received adequate training for responding to domestic violence calls?" Finally, to get at issues of police values and culture, respondents were asked, "What are the motivations behind victims calling the police on their partners?"; "Why do you think victims stay in abusive relationships and/or recant their statement?"; and "Compared to other types of crime and other responsibilities you have as a police officer, how important do you consider domestic violence calls?" When establishing codes for "values" I also focused on the language respondents used to describe victims, including attributions of blame and responsibility. Perceptions of victim's responsibility became a key theme for assessing officer culture and the hidden curriculum.

Findings

This chapter examines how police organizations influence the behavior and perceptions of their employees through policy, process, training, and culture. I find that bureaucratic expectations and constraints regarding policy and process significantly influence police behaviors and perceptions of DV calls. Officers cite several issues and frustrations with the bureaucratic process and feel unsupported by the system. In addition, I note inconsistencies between formal police training, which is victim centered, and the "hidden curriculum," which often presents domestic violence cases in a negative light. In doing so, I show how police perceptions and responses to domestic violence calls are shaped by the informal values that are promoted within the organization. The following sections provide qualitative descriptions related to these themes.

Policy and Process: Frustrations with the System, Arrest Policies, and Other

Institutional Actors

Frustration among police officers is not new or surprising. In addition to high levels of stress (Goodman 1990), officers are "faced with potential civil liability,…the pressure to conform to different demands and expectations coming from a variety of sources, and the constant exposure to a plethora of human misery and suffering" (Cebulak 2001: 48), as well as long work hours, low wages, and insufficient staffing (Scoggins and O'Brien 2016). Still, frustration among officers is important to consider as it affects their interactions with civilians and their personal well-being. For instance, frustration is said to be the precursor to occupational burnout, a state of "emotional exhaustion, depersonalization and reduced personal accomplishment to chronic

interpersonal stressors on the job" (Lewandowski 2003: 176). Depersonalization, whereby workers develop cynicism toward the recipients of their work (Lewandowski 2003), may be particularly salient among police officers who report higher levels of cynicism than those in other professions (Schaufeli and Enzmann 1998). This leads to inefficiency at work (Lambert et al. 2010). Moreover, burnout has been associated with negative personal outcomes, including anxiety, depression, emotional exhaustion, insurmountable feelings of pressure, reduced job commitment, and/or disillusionment with their jobs, among other things (Lewandowski 2003; Siegall and McDonald 2003). Thus, understanding officer frustration may help improve police responses in the field (Johnson 2004) as well as their overall well-being.

While individual characteristics can shape feelings of frustration and potential for burnout, there are also several organizational factors that contribute. For example, "red tape, paperwork, and communication problems" within a bureaucratic organization as well as being excluded from the decision-making process are associated with burnout (Pines 1982, cited in Brown 1987: 17; see also Lambert et al. 2010). Respondents echoed and expanded upon these frustrations and cited issues with organizational processes, departmental arrest policies, as well as other institutional actors.

Constraints of the Bureaucratic Process

In their study of police stressors, Buker and Wiecko (2006) found that organizational bureaucracy (excessive workload, inadequate staff, nonspecific policies, inadequate supervision, and too much "red tape") was strongly related to officer stress. Similarly, the respondents in the current study cited the complexity of the bureaucratic

process as leading to feelings of stress and frustration. Specifically, officers mentioned not knowing the outcome of a case, excessive amounts of paperwork, low prosecution rates, and minimal time served for perpetrators as significant sources of frustration.

For a few officers (N = 5), one frustration surrounded not knowing the disposition, or outcome, of a case. As first responders, patrol officers are "just information gatherers," according to Luke. This means they initially respond to the call and either take a report or make an arrest, but after that, the case is passed along to a detective who conducts the rest of the investigation before sending it to the attorney's office, who handles prosecution. Consequently, the initial report is often the only interaction patrol officers have with the case. Anthony, a patrol officer with 10 years of experience, said that this is one of his complaints about the process: "a lot of times, we don't hear what the disposition is…So, [we] don't know if the suspect pled out, [or] if the victim recanted…I guess that's one of the complaints I've had with the whole process…You don't know the disposition."

In further speaking with Anthony about this frustration it became evidence that his interest in knowing the disposition reflected wanting to feel as though his efforts served a greater purpose. Ideally, if he knew that a DV perpetrator was tried, found guilty, and sentenced to time in jail, he would feel as though making an arrest and/or taking a report resulted in justice being served. In cases where he later found out that charges were dropped, he noted, "on a personal level it's frustrating" because he felt as though his efforts were for nothing. Ultimately, this suggests that he wants to feel as though the work he put in is being supported by the rest of the bureaucratic process.

While some of this motivation towards ensuring justice is likely intrinsic, it may be that this also serves to promote police legitimacy in the eyes of the public as well as reinforce the trope of police officers as public saviors (Herbert 1996; 2006).

Adam, who previously worked in patrol but is now a detective, argued that not knowing the disposition of a case is a result of the fast-paced nature of patrol: "there's just so much going on…you don't have time to go back and check in…You're bam-bam-bam. On to the next; on to the next; on to the next. It's very easy to not take the time to see what happens after I turn in this report." Organizational structure is based, in part, on input from institutional actors in the decision-making process (Lambert et al. 2010). When officers are excluded from that process, they experience burnout (Lambert et al. 2010). Not knowing the outcome of a case, or not being involved in the trajectory of a case and the associated decision-making from start to finish, led to feelings of frustration with the bureaucratic process. This may be particularly true for patrol officers, whose fast-paced schedule demands they quickly shift gears and move on to the next case.

In congruence with studies of physicians (Christino et al. 2013), teachers (Davidson 2009), professors (Smith and Smith 2016), and social service workers (Postle 2001), officer's also expressed frustration with what they considered to be an excessive amount of paperwork needed to do their job, particularly regarding DV cases. Resultantly, Eric, a detective with 23 years of experience, argued that many times officers in the field believe DV cases are a waste of time, because of the time it takes to file a report. He said, "You know, if you get a domestic violence call, that pretty much consumes the rest of your night. It can take hours to fill out all the paperwork for that

call." Nick, a detective with 16 years of experience, confirmed, "The hard part about domestic violence is just the amount of hoops and investigative stuff…Because it's a long process, you know, once the paperwork is all done." This frustration may reflect the notion that paperwork is not "real" police work or, perhaps, it is secretarial – or women's – work, which is often devalued (Shelley, Morabito, and Tobin-Gurley 2011). Similarly, paperwork may be perceived as impeding the officer's ability to engage in stereotypically masculine police activities, such as car chases and shoot-outs (Hunt 1990).

The frustration with paperwork was also emphasized by two other officers who stated that the bureaucratic process is so long that sometimes the offender will be out of jail by the time the officers have finished writing the report. In one case, after arresting a man for DV, Miguel recounted, "he laughed at us all the way to the jail – 'ha ha ha – you guys are still going to be writing the report and I'll be out on the street.' You know, you're in the car and you're like, 'oh, he's right.' You know he's right. We're going to be in the middle of writing the report and he's probably going to be walking out." While there was some evidence that the paperwork for DV cases was more laborious than other cases, officers framed DV paperwork as being uniquely burdensome. This may be because DV cases are lower status calls (Britton 2011) and many officers feel they are unworthy of their time. In addition, paperwork is seen as a bureaucratic formality, rather than something that can create lasting change for DV victims. This sentiment provides support for White's (2006: 395) finding that "the organization does things to get boxes ticked," but the fundamental issues are not being addressed.

The frustration with paperwork was intensified when respondents believed that the time they spent on their investigation would be all for naught, as charges would not be filed by the attorney's office. This frustration was highlighted at both the detective and the patrol level. Nick, a detective, stated, over time "you start learning all the elements of the crime. You know what they (prosecutors) typically dismiss over or reject for a case. So, you can see into the future what's going to happen." He continued, when you have a case where you know the prosecutors are going to reject it, it becomes frustrating to have to fill out the paperwork, "submit it, and waste everyone's time." Roberto, a patrol officer with nine years of experience, described a similar frustration regarding following departmental policy and making an arrest while knowing the case would not be prosecuted. He referred to these cases as "useless arrests," meaning "arresting just to go through the process. But [knowing] there is nothing in there that I can get a filing on." In other words, making an arrest solely because the policy says you must, even though the officer knows the case is not strong enough to have charges filed and the perpetrator convicted. For these officers, the process of filling out the report and sending it up the bureaucratic chain, knowing that it will be rejected by the attorney's office, is a flaw of the bureaucratic system.

Finally, respondents noted that even if charges are filed and the case is taken to court, the offender will likely spend little time in jail. This is another inefficiency of the bureaucratic system. Caleb, a detective with 17 years of experience, advised that the maximum amount of jail time for a convicted DV misdemeanor is a year. When asked if it is likely the offender would serve the full term he chuckled and stated, "Do guys do a

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year for beating up their wives, on a misdemeanor? No. Not at all." Even on a felony

charge, an alleged perpetrator may only spend a few hours in jail. When asked about the

average jail time for a felony DV charge, Mateo, a detective with 16 years of experience,

explained: "A minimum of two days. Because that gives the investigators two days to

build a case and present it to an attorney. But each person that's arrested is entitled to

bail, and they have the right to bail out. So, they can bail out within that day or the

following." Minimal detention time was also mentioned as a frustration by Cecilia, a

detective with 15 years of experience, who described the case of a "gangster" who

severely physically abused his girlfriend. She recalled with disgust, "How long do you

think it took him to get out? A day. And he was on parole. He was on parole, and he was

out the next day." Respondents viewed low prosecution rates and minimal detention time

as major impediments to handling domestic violence calls. This suggests that they

ultimately wanted perpetrators arrested and prosecuted but felt that there were

bureaucratic constraints that interfered with achieving this goal.

Overall, the bureaucratic constraints perceived by officers led to officers feeling

frustrated and unsupported by the bureaucratic system. This frustration reflects the

disparity between individual power and institutional power. Officers felt frustrated when

they believed their individual power was being limited by the flaws of the bureaucratic

system. These frustrations can have long lasting consequences on officer behavior and

decision-making. For instance, Rowe (2007) found that when officers felt they were not

being supported by other criminal justice system actors, they were more reluctant to

vigorously pursue DV cases. Thus, if officers do not believe their efforts will be

supported by the attorney's office (who handles prosecution) or the judiciary (who

handles conviction and sentencing) they may decide not to put as much effort into future

DV cases that they handle.

Inefficiency of Arrest Policies

The literature points to the inefficiency of mandatory and pro-arrest domestic

violence laws and policies (Buzawa and Buzawa 2003; Sun 2007). These laws and

policies have a minimal impact on arrest rates (Eitle 2005) and are often criticized by

victim advocates (Han 2003; Hoyle and Sanders 2000). Interestingly, officers were also

critical of departmental arrest policies, which they believed did not get at the root of the

problem and thus, were ineffective for reducing violence. Diego provided a thorough

explanation:

> I mean, you can come up with all these policies, but, the calls are always going to
> come in. And just because we're supposed to add another sheet of paper or make
> an extra phone call…it's not solving anything. The problems are still there. We're
> not getting to the root of it. And all we're doing is adding more paperwork, more
> bureaucracy. It's becoming more complicated, and now, it's just another form for
> us that we have to remember… But again, the problem's not being solved. The
> victim is still the victim, the aggressor's still the aggressor, and we haven't
> changed anything.

Four other officers echoed this notion and argued that arrest policies can only do so

much. Eric, a detective with 23 years of experience, stated that arrests make it seem like

the problem is being addressed, but it really is not: "if we're making a lot of arrests, it

looks like we're addressing the problem, even if maybe we're not. So, that's a part of the

problem with current policies is that they value arrest over solving the underlying

problem." For these officers, arrests and arrest policies act as a Band-Aid, rather than a

solution, for addressing DV. This is in line with the notion that organizations are less

concerned with creating change, and more concerned with adhering to bureaucratic

policy (White 2006). This sentiment also critiques the traditional nature of policing as

reactionary, as opposed to the community policing model that emphasizes crime

prevention (Ponsaers 2001).

Similarly, some officers recognized the necessity but inefficiency of arrest policies.

Luke provided an example: "arrest is necessary, but in terms of it being effective for

addressing the bigger problem of domestic violence…I'm not so sure." Gary reiterates

this sentiment and suggests that arrest policies are only somewhat effective. On one hand,

he said, "I'm positive there are situations where somebody would have laid hands on

[their partner] and didn't, specifically because they were worried about getting arrested."

Even still, he continued, arrest policies do not deter everyone: "it's like everything. We

have speeding laws, but people speed. You know, it's just a matter of, can we mitigate it

enough to have some effect? And obviously we do. But we're still going to have

tragedies. You can't avoid that." This statement highlights the incongruence between

individual and structural factors related to domestic violence. Arrest policies can deter

some individuals, so in that regard they are necessary. But these policies cannot permeate

the larger structure and culture that promote domestic violence in the first place (for

instance, a patriarchal culture which gives men power over women). Thus, because of the

cultural inevitability of DV, arrest policies are necessary but not sufficient for addressing

the crux of the problem.

For many respondents (N = 13), a more effective strategy would be to combine

arrest with other services for victims and offenders. Ben, a detective with 19 years of

experience, offered a suggestion of providing "outreach to the community, more victim services, [and] increased services pertaining to abusers, to teach them other pursuits and other ways to cope," beyond simply arresting perpetrators. Caleb referred to this approach as providing "wraparound services," meaning going above and beyond the judicial services available to victims and offenders and offering them additional resources, often while working in tandem with other agencies. This suggestion is reflective of the community policing model, which promotes collaboration between law enforcement agencies and social service providers (Hovell, Seid, and Liles 2006) and is the aim of the Specialized Domestic Violence Team (SDVT) programs that have been implemented by the PD. The emergence of community-police partnerships has become an important trend in criminal justice responses to domestic violence (Reuland, et al. 2006) and evaluative studies of these partnerships have been overwhelmingly positive (see Corcoran et al. 2001; Hovell et al. 2006; Kramer and Black 1998; Reuland et al. 2006). Therefore, promoting community policing methods can positively impact police-civilian interactions.

Beyond the perceived ineffectiveness of arrest policies, a small subset of officers expressed frustration with current policies because they limited their personal discretion. For instance, Miguel viewed the limits of arrest policies on his personal discretion as "problematic" because "in some cases you know what's going on and you're able to use your intuition and judgment as an officer, but if it goes against protocol then you have to make a different decision based on the law." Echoing Roberto who expressed frustration with "useless arrests," Miguel argued that officers should have the ability to base their

responses in the field on their personal intuition and discretion, rather than being forced

to conform to protocol. Nick reaffirmed this notion and stated, "I'd like to go back in time

and maintain some more discretion, to be able to file cases or not file cases and have the

discretion to do it based on how I feel needed, not be mandated to do so." This comment

extends upon Nick's earlier statement about frustration with filling out paperwork when

he perceived that the prosecutors would reject the case. For Nick, having the discretion to

decide which cases to file would eliminate "wast[ing] everyone's time" with cases that

will not be prosecuted.

These comments imply that some officers feel constrained by one-size-fits-all

policies, which may not be appropriate for all situations. This is addressed by Ann who

stated, "you can't just take one set of standards and make it broad, because it doesn't fit."

These officers feel constrained by policies that dictate their responses and would prefer

past policies which gave officers more discretion. Still, in a historical time period where

police behavior has become increasingly scrutinized (following several high-profile cases

of police brutality and civilian deaths), the move towards *more* officer discretion is

unlikely. This is particularly true given the recent implementation of police officer body-

worn cameras, which aim to increase the transparency of officer decision-making (Gaub

et al. 2016).

Tension Between Institutional Actors

In addition to the constraints officers noted regarding DV policies and processes,

respondents also cited a divide between the different cogs within the policing institution.

Patrol officers were said to produce subpar police reports, which made it difficult for

detectives and prosecutors to make a convincing case. Prosecutors were reprimanded for

low prosecution rates, which officers and detectives perceived to be the result of

inefficient and inconsistent case selection. Resultantly, many of the different players

within the policing organization would point fingers at other institutional actors to

explain the ineffectiveness of the system. This is evidence of the "blame game" (Hood

2010), where individuals within an organization seek to avoid blame, often by blaming

someone else. Playing the blame game may be particularly salient among law

enforcement officers as there is a low tolerance for error within the organization (Hood

2010) due to issues such as civil liability and bad press.

For instance, ten respondents expressed some frustration with patrol officers,

often regarding their subpar report writing skills. In discussing "younger officers,"

Antone, a patrol officer with eight years of experience, said, "I think a lot of them copy

and paste from old reports. So, when you're reading a report it actually sounds like a

Quentin Tarantino movie where things are jumping all around and you're trying to figure

out what's going on." The completeness of the report is equally as important as the

quality. Without this information, it is difficult to prosecute, as Antone continued:

> We have these…little cards that have basic information on the victim and the
> suspect…but some officers won't even fill it out completely. Like, missing the
> important information like the victim's phone number, suspect's birth date. It's
> like, I need that, so how am I supposed to make a proper determination of what
> happened if I can't even call a victim later on if I need to because you failed to put
> the phone number on the card?

Many reasons were offered for why officers submit incomplete and poor-quality reports.

Cecilia argued that officers "get burnt out" after handling DV cases where the perpetrator

is not prosecuted. She postulated that officers' question why they should put a

considerable amount of time and effort into writing comprehensive reports when the prosecution and conviction process is unlikely. As a result, she stated, officers "don't really put their heart into" the reports. In this case, officers appear to deliberately submit incomplete and poor-quality reports because they do not think their efforts will matters in the end. This results in a self-fulfilling prophecy where officers submit poor reports in anticipation of the case being dropped, and the case is dropped because of poor reports.

Roberto and Mark argued that poor quality reports are the result of insufficient training. Mark recalled not truly understanding what was needed to produce a successful DV conviction until he started working in a specialized DV unit, which required him to complete an additional 40 hours of training. He stated, "Patrol officers don't see…what is needed on the [incident] report," but working as a DV officer has "made a difference. It kind of wakes you up" to see what information is really important to put together a case likely to result in a conviction. Ann, Adam, Luke, and Miguel suggested that officers simply do not have the time to write detailed reports because of the fast-paced nature of patrol, and that, consequently, detectives are tasked with filling in whatever information was omitted. Miguel provided an example of the time constraints patrol officers face: "last night, I worked 24 calls in a 12-hour period. That's half an hour per call. You got to sprinkle in travel time between calls. Now you're looking at less than twenty minutes per call. How much time can you really give anybody? You know?" Accordingly, there is limited time to dedicate to each call and report. This is consistent with Lipsky's theory of street level bureaucracy, which suggests that officers simply do not have the time or

resources to enforce every law at all times (Rowe 2007). Thus, officers use discretion in

their report writing to manage large caseloads within the confines of limited resources.

Yet, despite the reasons given for *why* patrol reports are of poor quality, the

consequences are far-reaching, as indicated by Miguel:

> If you take shortcuts on [the report], it's the victims who are going to be the ones
> that don't get service. If you don't report something, if you miss something within a
> report, if you don't call the right department and the right people, or you don't
> follow up on that on your part of it… I mean, I won't lie to you, as a police officer,
> your report [only] needs to include the elements of the crime. It's up to you to add
> all the beef around the bone.

Thus, while report writing can influence officer frustration levels, it can also impact

civilians. For victims, it could mean a lack of services being offered. It could also

influence decisions to prosecute, which Jacoby and Ratledge (2016) note is highly

dependent on the police report and its contents. This conclusion was supported by

Cecilia, who was warned by other detectives about a rumored district attorney (DA)

"bully" who had a reputation for "being condescending and not filing cases." During her

first interaction with the DA, Cecilia recalled, "She treated me like crap. Come to find out

it's because she was so used to terrible reports by officers… what she told me was that a

lot of the officers would half-ass their cases…So, she'd gotten to the point where she

really didn't like working with us." This speaks to the far-reaching consequences of

writing bad reports. Bad reports may annoy other officers or detectives. But, on a larger

level, they can have a negative impact on the resources offered to victims and the

likelihood of a case being filed by the attorney's office.

Issues regarding prosecution were another source of tension for respondents.

Echoing past research, officers and detectives often expressed frustration regarding the

perceived inaction of prosecutors (Johnson 2004). Cecilia succinctly described this irritation: "the district attorney did not want to file a case unless it was a slam dunk. That would piss me off." A "slam dunk" case means "there's priors (arrests) or there's pictures that are really good or she (the victim) went to get medical treatment or she's very cooperative, shows up to court three or four times," Cecilia explained. This pseudo checklist – revolving around victim cooperation, severity of injuries, and prior incidents of abuse – was reiterated by several other officers and detectives who used these as indicators of whether a case would or would not be filed by prosecutors.

The perception of respondents was that if these "elements of the crime" were not up to par, the case would likely be dropped by the attorney's office. Thus, officers and detectives generally agreed that prosecutors would not file charges on DV cases involving "minor" abuse such as, "I slapped you, you have a red mark on your face, or you have a little scratch. That's not going to be filed by a district attorney," Roberto argued. Evelyn reiterated: "Let's say it falls into the misdemeanor category. Let's say they've (the perpetrator) never had any priors before. This is the first time that it's ever come through. [The victim is] somewhat cooperative but not really. Most of the time, they'll (the attorney's office) just reject the case. It's really not worth anybody's time." Thus, respondents felt that "minor" incidents of abuse were not taken seriously and consequently, these cases would likely be rejected by prosecutors. This understanding of the adjudication process is warranted as victim injury is strongly associated with active prosecution (Henning and Feder 2003). Still, if officers do not believe that the attorney's office will prosecute, they may lose motivation for pursuing domestic violence cases

(Rowe 2007), particularly those that are considered "minor" or where the "elements of the case" are not up to par. In addition, the tendency of prosecutors to only file charges in cases with severe physical injuries may communicate to officers that less severe experiences of violence are not as important. In this way, the inaction of prosecutors contributes to the hidden curriculum that minimizes domestic violence cases.

According to Eric, decisions to prosecute go beyond the elements of the crime. Rather, the determining factor is politics:

> The district attorney's office is very political. They will only take cases where they know they'll win. Look at when the next cycle of district attorneys are running for office. Most of them will say something like, 'I have a 98 percent conviction rate.' It leads people to believe that they're really tough on crime and that they do a good job. But they'll only take cases where they know that they're going to win. So, saying, 'I have a 98 percent success rate' fails to account for all the cases that they didn't take, and they didn't prosecute.

This emphasis on winning is the crux of the problem with low prosecution and conviction rates, as echoed by Cecilia: "if the DAs were less worried about winning cases and more worried about filing them to at least get it on the guy's record, it would help." Five other respondents agreed with these sentiments and argued that decisions to prosecute are significantly related to whether the prosecutor believes they can convince a jury beyond a reasonable doubt that the abuse happened. If there is any doubt that they may not be able to convince a jury, Gary said, "they're not going to file it." Because of this "burden of proof," as Phillip called it, few cases end up being filed by the attorney's office. This suggests that the attorney's reputation takes precedence over providing legal recourse for victims of domestic violence.

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Another expressed frustration with prosecutors was not knowing why they filed charges on one case but not another. During my ethnographic fieldwork, I overheard a conversation between two patrol officers who were discussing this discrepancy and comparing a case that they thought should be prosecuted and was not, with a case with less severe violence, but charges were filed. The officers

> couldn't understand how one case where there was an 85-year-old man who pushed his 80-year-old wife, and the DA filed that as a felony case, but in another case where a man 'beat his girls face in,' the DA did not file charges. So, they felt that there is no hard and fast rule about what is and is not filed, which can be frustrating (Fieldnotes, September 2016).

While this exchange highlights the inconsistency in charges being filed, it may also reflect ageism, whereby the officers perceived violence amongst the elderly population to be more worthy of criminal justice services than other cases (for more on worthy victimhood, see Chapter 5).

Phillip reiterated the frustration with some cases being filed but not others and stated that DV cases "don't always get filed on. And that's out of our hands…And that can kind of be frustrating. You know, 'He did this to me, he did that to me.' And they'd (prosecutors) rejected the case...So, it's a little discouraging, because the system itself can let [victims] down." Thus, even in cases where officers or detectives believe charges should be filed, prosecutors may still reject the case. This points to unresolved tensions between the different actors within the policing institution that ultimately undermines prioritizing the victims of DV, as well as a breakdown the criminal justice system more generally and the civilians being served.

Training: Limitations and Suggestions for Improvement

While there is a decent literature that examines issues with police training in respect to the paramilitary structure (see Chappell and Lanza-Kaduce 2010), there is scant work on police perceptions of their training; much less perceptions of DV specific training. To get a better grasp on training, respondents were asked how much DV training they received before entering the field and how effective they felt that training was. All respondents in this study received DV-specific training in the academy. According to four respondents, officers get "a good amount" of DV training in the police academy, which they felt provided them with a solid foundation for once they entered the field. Alternatively, twelve respondents felt that the formal training they received in the academy was too brief, lacking in quality, and/or unrealistic and thus, did not adequately prepare them for what they would encounter in the field. The remaining respondents discussed training in terms of hours completed (estimates were between 8 and 20 hours of DV-specific training during the academy), or additional post-academy training.

For most patrol officers, the academy DV training was the only formal domestic violence training they received. And, according to Caleb, this training was brief and of poor quality: "it's not that much, to be quite honest with you. We do have some in-service training, but mostly, our training is like e-learning training, which is horrible. Not very much at all." Nick confirmed, "Going into the field as a patrol deputy, you probably have just blocks of hours, really, just dedicated toward [DV]. It's nothing. You know, maybe a couple classes in your academy or something like that." The initial academy training in DV is the only mandatory training patrol officers receive. Respondents who

worked in the detective capacity or with the Specialized Domestic Violence Team (SDVT) program were required to complete additional training. But, for the average patrol officer, DV specific training is limited to the academy.

In addition to its brevity, five officers noted that the training in the academy is unrealistic and does little to prepare officers for handling DV calls in the field. Cecilia explained:

> They'll do role-play scenarios where you have to convince the victim [to leave]. But this is all role-play. So, of course, in the end the victim says, 'Okay,' and tells you everything that happened. It's not like that in the field. They don't prepare you for when the victim's going to tell you to pound sand or flat out deny and not to go court and not do any of that.

Jennifer reaffirmed this sentiment and stated:

> We have scenarios that we go through, to kind of give us an idea of what we'd be dealing with out in the field. But it never really prepares you for the reality of it. I mean you come out here, and, 'Okay. We're going to a domestic-violence call.' But then, there's kids involved, or there's drug use involved, or there's other family members involved. And, there's really no way…to prepare you for that.

While role-playing and experiential training are found to be beneficial (Lonsway, Welch, and Fitzgerald 2001), respondents suggest that the DV scenarios they are asked to act out are unrealistic. This is, in part, because role-playing presumes a linear progression of events. Officers arrive at the scene, follow protocol, speak with the parties involved, and then determine a resolution. However, these scenarios do not account for the complexity of human behavior and interaction. They do not account for other issues that may arise in the field or additional factors that may come into play. Consequently, Ann argued, even after completing the formal academy training, "there's still a lot that our cops on the

street don't understand about domestic violence." This results in officers who are ill-prepared to handle real DV calls in the field.

The brevity and lack of quality training was attributed to the "pump and dump" culture of the academy by three officers. Anthony explained, "the academy here is so focused on just passing [the exams] and…you're pumping and you're flushing. As soon as you pass that test" you move on to the next training module. This is a reality of the fast-paced nature of the academy and the vast amounts of information that must be covered. Evelyn reaffirmed, "there's so much training…there's so much that they have to cover in the academy." There is not time to learn everything about everything. Limited knowledge retention is not unique to the police academy (see Custers 2010 for a review of long-term knowledge retention among students). But the result can be particularly problematic among officers, as this population is tasked with public policy enforcement. Officers who retain limited information during the academy may be unprepared for the reality of patrol in general, and DV calls specifically. This can result in a gap between the skills and knowledge needed to do a job and those possessed by the employee. In this case, the employee may feel incompetent when completing a certain task, and consequently, their job performance will suffer (Kanelopoulos and Akrivos 2006).

According to seven respondents, officers would benefit from more consistent training or required retraining regarding DV. Miguel proposed having all officers complete the additional 40-hour DV training that SDVT officers and detectives complete. This would give officers a more in-depth understanding of DV and make them better prepared for helping civilians who experience DV. Specialized training has been found to

be effective in improving police responses in DV cases (Corcoran et al. 2001; Hovell et al. 2006; Reuland et al. 2006) as well as sexual assault cases (Lonsway, Welch, and Fitzgerald 2001). Thus, having all officers, not just SDVT officers, complete the additional training may have a positive impact on police responses to DV calls. David, a detective with 16 years of experience, suggested "an eight-hour class once a year or every other year, just as a refresher." Roberto expanded on this notion and suggested mandatory retraining every few years to ensure officers are up to date on policy changes, which happen regularly.

A few officers also suggested additional training to account for changing relationship dynamics. For instance, Antone stated, "technology's different, relationships in general are different. We have more lesbian couples, more homosexual couples, couples with mental disabilities. I think we haven't got enough training in those kinds of things." These suggestions are consistent with past work which emphasizes the need for continuing and specialized education for police officers (Compton and Chien 2008). In addition, retraining would emphasize to officers the importance of DV, which may be lacking during the noted brief and poor quality DV training they receive in the academy.

Another group of respondents suggested that classroom training is not enough to prepare them for the reality of responding to DV calls. Rather, the best training you can get is in the field experience. Luke provided an example, noting that "the experience that I've had in the field responding to DV calls has been the best training." Evelyn confirmed, "I don't think you can really train for it unless you're actually doing it…You have to be in it to learn about it." The implication is that training in a classroom or

through a video module pale in comparison to hands-on experience. The best way to learn is to do. This is consistent with the notion of the hidden curriculum that "real" learning happens in the field, not the classroom (Fielding 1988). This suggests that classroom training has less practicality for preparing officers for their time on the street than experience.

Training and Culture: The Hidden Curriculum and Victim Blaming Rhetoric

Prior to beginning my fieldwork, I completed a 40-hour training hosted by a nonprofit organization to become a PD SDVT victim advocate. I attended this training with other victim advocates as well as officers training to become part of the SDVT program. The formal curriculum covered a variety of topics including the history of violence in America, the dynamics of abusive relationships, myths versus facts about DV, the cycle of violence, legal interventions (arrest, restraining orders, etc.), community-based resources (shelters, educational programs, etc.), sensitivity training for how to respond to cases involving "nontraditional" victims (e.g., men, the LGBTQ community), an overview of the criminal justice system responses to DV, and crisis intervention training.

Even still, there was a persistent hidden curriculum that reinforced victim blaming. For instance, the idea that "you teach other people how to treat you" was often discussed as a reason for victimization. In other words, if you allow someone to abuse you, you are telling them that their violent behavior is acceptable. This takes the onus off perpetrators of violence and places the responsibility on victims to behave in a way that deters violence. Similarly, the idea that victims believe violence is an expression of love

was often reiterated by the training facilitators. This presents victims as complicit in their own victimization and was used to explain "why victim's stay" in abusive relationships. These ideas reflect domestic violence myths that present women as responsible for their own abuse (Saul 1972) or as behaving in a way that is deserving of violence (Buzawa and Buzawa 1993). These myths perpetuate a culture of blame which shifts the focus on violence from abusers to victims (Thapar-Bjorkert and Morgan 2010). Respondents often reiterated these myths during interviews and my fieldwork. This suggests that officers' perceptions of victims may be influenced by the hidden curriculum promoted during training, which indeed may have serious consequences for officer-civilian interactions[2].

Close to one-third of respondents in this study reiterated victim blaming rhetoric. It was common to hear officers say something along the lines of "the victim should just leave, and if they don't, there's not a lot we (officers) can do." Anthony, a patrol officer with 10 years of experience, provided an example:

> Domestic violence, in my eyes…it's a victim-driven process. The victim really decides if there's going to be another opportunity for the suspect to reoffend…Really, there's no other crime that I can think of that … gives the victim that much power over whether they become a victim again. You know? It's… really, yeah, you can send somebody to jail, and you know, they can get out, and they can do their process or whatever. But you know, if that victim allows that person back into the household, and they get back into their, you know, their little cycle, then you know, recidivism, it's going to occur.

Anthony's claim that the victim, not the offender, has the ultimate power directly contradicts the DV literature, which finds that violence is used by perpetrators to gain and maintain power and control over the victim (Kimmel 2002). Anthony asserts that it is the

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[2] The training I attended was for SDVT advocates and officers. I cannot speak to the training officers receive in the academy or any additional training officers may have completed.

victim, not the offender, who decides if they will be victimized and that the victim "allows" the offender back into their life, and thus, allows revictimization. The declaration of the victim as in control of their own victimization was reiterated by Evelyn who stated, "It starts with the victim. It really does. She's somehow got herself into this situation… at the end of the day it has to be the victim who has to break the cycle. That's what it comes down to. Is she strong enough to break the cycle?" The implication is if the victim did not want to be victimized, they could simply leave and "break the cycle." These suggestions clearly perpetuate domestic violence myths which present victims as complicit in their own abuse (Yamawaki et al 2012). In addition, by buying into these myths' officers are playing the blame game. Officers can relinquish themselves from feelings of guilt if the victim is abused by blaming the abuse on the victim themselves.

Officers also reiterated victim blaming rhetoric during my fieldwork. During one ride along, we followed up on a violent incident that was reported a few days prior. At the time of the report, the perpetrator was not present, so an arrest was not made. A few days later the victim, a Hispanic woman in her 30s, called the police again and advised that the perpetrator was at her house and refused to leave. Consequently, she had been staying at her parents' house because she was afraid to go home. We arrived at the victim's house with four additional officers and a sergeant (7 officers total). The officers surrounded the house and got in position in case the perpetrator fled. Two officers then knocked on the front door of the house, identified themselves, and commanded the perpetrator to come out. Less than 10 minutes later, the perpetrator exited the house with his hands in the air and was arrested.

I could not see the perpetrator from my vantage point (in an unmarked police car

several houses down from the victim's house), but in speaking with the victim, I learned

that the perpetrator was a known gang member. They had been in a relationship for less

than a year, but the victim expressed concern because the violence was beginning to

escalate. This was not the first time the perpetrator victimized her. After counseling the

victim, helping her pack a few bags, and providing her with an emergency protective

order, we went back to the station where the other officers who had assisted in the arrest

were booking the perpetrator. "When we got back to the station, we were talking with the

arresting officers and one of them said, 'well what do they (victims) expect when they get

involved with these types of guys?'" (Fieldnotes, July 2016). These "types" of guys are

gang members. In addition to reaffirming Evelyn's sentiment that victims put themselves

in abusive situations, the officer in this case also suggested that violence should have

been expected when the victim entered this relationship because of the perpetrators gang

affiliation. Such expression reinforces domestic violence myths and victim blaming by

suggesting that victims should know better, and that they are partially responsible if they

find themselves in an abusive situation.

Despite officers' reiteration of victim blaming sentiments, many still

acknowledged the complexity of abusive relationships and the precarious situations

victims are in. Yet, in many cases, respondents presented conflicting messages by citing

the formal curriculum (i.e., noting the barriers victims face for leaving and their

responsibility to help even if the victim is resistant), followed by the reiteration of the

hidden curriculum (i.e., it is the victim's responsibility to create change and the officer

can only do so much). For instance, Cecilia was one of 13 respondents who discussed financial dependency as a barrier for victims of DV to leave their abuser. She succinctly stated, victims "don't have [the] resources to be able to leave." Nevertheless, Cecilia also stated, "In my mind, the minute that you know that you are victim and you stay in the situation, you're no longer a victim. You're an enabler." In other words, if a victim knowingly stays in an abusive situation, they are allowing the abuse to happen and thus, are responsible for their own victimization. This suggests that "victim" is a conditional status, dependent upon the victim's actions. Social constructionism and the literature on victimhood suggest that "real" or "worthy" DV victims are constructed as powerless, passive, and in need of law enforcement protection (Berger 2009). Thus, if a victim does not conform to these stereotypes (for instance, if the victim is assumed to have power in the relationship), they may not be seen as a "real" victim by police (for more on worthy victimhood, see Chapter 5).

Similarly, Anthony, who argued that DV is a "victim driven process" whereby victims have the power to leave or be revictimized, and Evelyn, who posited that victims get themselves into abusive situations, also pointed to the challenges victims face when they try to leave. Anthony stated, there's a lot of "economic pressure. You know, you lose a major breadwinner in a household… 'Yeah, you know what? He kicked my ass, but I can't pay his bills now. I can't feed my kids.' I have kids, and there's a whole lot that I would do to support my kids. So, I don't blame victims for making those decisions sometimes…I know it's hard." In addition to financial resources, Evelyn recognized that many victims "don't have a family support system…So, they feel they're stuck; that they

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really don't have anywhere to go." This suggests that officers recognize the structural

constraints victims face when leaving an abusive situation, but also invoke a victim

blaming narrative that presents victims as able to control and leave an abusive situation.

Ultimately, this conflict between the formal and hidden curriculum has negative

consequences for officers, who are tasked with juggling conflicting messages, and

victims, whose initial experiences with officers highly shape their future interactions with

the criminal justice system (Buzawa, Buzawa, and Stark 2017). Police-victim interactions

are negatively impacted in situations where victims believe the police have minimized

their situation or have engaged in victim blaming (Stephens and Sinden 2000). In

addition, negative perceptions of police demeanor and an environment of victim blaming

can result in victims not calling the police during future violent encounters (Thapar-

Bjorkert and Morgan 2010).

Discussion and Conclusion

This chapter considered how the organization and structure of policing as an

institution influences officer discretion. Specifically, I addressed how police

organizations influenced the behavior and perceptions of their employees through policy,

process, training, and culture. I found that police perceptions of DV calls are shaped by

officer experience as well as bureaucratic expectations and constraints. Officers

expressed frustration with departmental arrest policies and other bureaucratic policies and

argued that these constraints impeded their ability to create lasting change. Identifying

and understanding these frustrations is important, as officer "frustration results in

burnout, supervision problems, cynicism, increased health risks and a lack of support for

community policing" (Johnson 2004: 208). In addition, stress and frustration have a negative impact on job performance and the quality of policing in society (Johnson 2004). As the literature on occupational stress and burnout has rarely considered police samples (Burke and Mikkelsen 2006), my findings fill a significant gap.

In particular, respondents noted feeling frustrated with the bureaucratic process insofar as they often did not know the outcome of a case, were required to complete excessive amounts of paperwork (even when they knew the case would not be filed by the attorney's office), and knew that even convicted perpetrators would spend very little time in jail. These findings add nuance to past work, which linked officer stress to organizational bureaucracy (Buker and Wiecko 2006). Moreover, respondents pointed to tension between various institutional actors and often engaged in the "blame game" (Hood 2010) whereby they would avoid individual blame by blaming others. For instance, detectives and prosecutors complained about inadequate police reports and patrol officers felt overwhelmed by their case load and discouraged by the lack of action of prosecutors to file charges against offenders they believed were worthy of a conviction. In many cases, respondents cited this tension between actors as impeding their ability to create lasting change for the civilians they were sworn to protect and serve. Rowe (2007) found that officers were more reluctant to vigorously pursue DV cases when they felt they were not being supported by other criminal justice system actors. Thus, this lack of support between institutional actors can have significant repercussions for civilians who seek legal help for DV.

Respondents were also dissatisfied with arrest policies which some officers believed were ineffective for addressing DV. Ultimately officers wanted to reduce DV, but believed current policies did little to accomplish this. This assessment is a critique of the military-bureaucratic model of policing which is reactive rather than proactive (Ponsaers 2001) and emphasizes bureaucratic policy and processes over creating lasting change (White 2006). In addition, as mandatory arrest and no-drop prosecution policies have been shown to minimally influence DV recidivism (Davis, O'Sullivan, and Farole 2008), it is unsurprising that officers perceive them to be ineffective. Consequently, some officers believed that civilians would be better served by adherence to a community policing model, which promotes collaboration between law enforcement agencies and social service providers (Hovell, Seid, and Liles 2006). This is the aim of the Specialized Domestic Violence Team (SDVT) programs that have been implemented by the PD. Future research should compare the long-term consequences of mandatory arrest laws and policies with community policing strategies on DV recidivism and police-civilian interactions.

While not a common theme, a few officers felt current DV policies limited their discretion and made them less efficient as officers. They argued that they should be able to interpret the situation and act based on their experience and understanding, rather than be forced to conform to a one-size-fits-all arrest policy. These respondents were less concerned that arrest policies did little to combat violence, and more concerned that their actions were being dictated by the bureaucracy. Still, these frustrations can provide insight into the issue of cynicism and low arrest rates. Perhaps officers are less compelled

to make arrests because of the perceived ineffectiveness of arrest policies on conviction rates. Spohn and Tellis (2018) argue that police consider the likelihood of conviction when making arrest decisions. Consequently, police are "reluctant to make arrests that are unlikely to lead to the filing of charges against the suspect" (Spohn and Tellis 2018: 6). Thus, perceptions of likelihood of conviction are an important component to consider regarding police decision-making. Additional research is needed to disentangle the relationship between officer frustrations with arrest policies, perceptions of convictions, and decisions to arrest.

Training was also found to have an impact on officer behaviors and perceptions of DV cases. About 40% of respondents felt that the formal training they received in the academy was too brief, lacking in quality, and/or unrealistic. Thus, some respondents argued that many officers are not adequately prepared to respond to DV calls in the field. Consequently, almost 25% of respondents argued that more consistent, mandatory training was necessary for improving officer responses to DV calls. Some argued that all officers should complete the specialized DV training that is required of detectives and SDVT officers. Yet, I found that even though this specialized DV training is more comprehensive than what is offered in the academy, there is still a persistent hidden curriculum that presents DV cases and victims in a negative light. As such, close to one-third of respondents in this study reiterated victim blaming rhetoric, arguing that the victim is responsible for their own victimization. This reflects the dominant culture of blame which shifts the focus on violence from abusers to victims (Thapar-Bjorkert and Morgan 2010) and provides evidence that police organizations devalue DV cases.

The presence of victim blaming rhetoric within the hidden curriculum is problematic as it normalizes violence, empowers perpetrators, and disempowers victims, which can have long lasting implications. For instance, research indicates police responses to domestic violence calls are strongly influenced by police attitudes (see Belknap 1995; Logan, Shannon, and Walker 2006; Trujillo and Ross 2008). If police attitudes are consistent with the culture of blame, officers may be less rigorous when responding to DV calls. That is, they may be less thorough with their investigation or take victims accounts less seriously than other crimes. This, in turn, can shape the victim's future interactions with the criminal justice system, such that victims may choose not to call the police during future altercations if their initial interaction was negative (Buzawa, Buzawa, and Stark 2017). Therefore, officers' adherence to victim blaming rhetoric may have a direct impact on the help victims and perpetrators receive. Future research should consider how the adherence to victim blaming rhetoric influences officer arrest rates in DV cases.

Alternatively, officer adherence to victim blaming rhetoric may reflect feelings of powerlessness within the noted bureaucratic constraints. If officers believe they have little power to positively influence the situation, they may put the onus on victims to solve it themselves. By "passing the buck" or playing the blame game, officers can maintain their identity as problem solvers and posit that any negative outcome is outside of their control – either an issue with the bureaucratic system or an issue with the civilians involved. Additional research is warranted regarding the relationship between officer feelings of powerlessness and adherence to victim blaming rhetoric.

Victim blaming may also be a way that officers engage in emotional labor, the process of managing emotions within the workforce (Hochschild 1983). Just as the discretion of street-level bureaucrats is influenced by organizational expectations, organizational norms govern the expressions of emotion among employees (Martin 1999). For law enforcement officers, occupational norms emphasize minimal emotional expression. This norm of "emotional self-management" (Martin 1999), which dictates that officers control their emotions while in the field, may manifest itself as cynicism and/or emotional detachment toward civilians (Karmen 2004). The ability to stay emotionally detached may be more challenging during domestic violence calls which are depicted as more "social service" oriented than other types of police calls. Resultantly, officers may engage in victim blaming as an emotional coping mechanism. That is, victim blaming may allow officers to emotionally detached from DV victims and conform to the occupational expectation of minimal emotion. This is speculative; so, the relationship between the norm of emotional detachment and victim blaming as a method of emotional labor would be an interesting avenue for future study.

Still, there is some evidence of conflicting messages between the formal and hidden curriculum, suggesting that this divide is not clear cut. Some officers attempted to navigate the tension between these conflicting messages by oscillating between the victim centered approach promoted in the formal curriculum and the victim blame approach emphasized by the hidden curriculum. That is, they would note the barriers victims face for leaving and their responsibility to help even if the victim is resistant while simultaneously reiterating the notion that it is the victim's responsibility to create

change and the officer can only do so much. Moving forward, police trainers need to consider the hidden curriculum that is being promoted and move toward more positive rhetoric surrounding DV victims. Presenting victims as worthy and deserving of police time and resources should be a goal of police DV training. Indeed, "increased perceptions of victims as deserving of police support could, in turn, increase the likelihood of victim cooperation with prosecution of assailant" (Russell and Light 2006: 392), which was noted as the main goal of many officers. Thus, police perceptions of victims and victim cooperation are linked, and police-civilian interactions could be improved through addressing the training issues identified here.

In sum, the data suggests that police behaviors and perceptions of DV calls are significantly shaped by the policies, processes, training, and culture promoted within the policing organization. In addition to organizational factors, decision-making among officers is influenced by officer demographic characteristics (Chapter 4) and stereotypes regarding victims and offenders (Chapter 5).

CHAPTER 4

GENDER AND RACE OF OFFICERS: PERCEIVED EFFICACY, AND

DECISION-MAKING

The face of policing has historically been that of white men. This began to change in the 1960's and 70's with the "femininization of policing" (Miller 1999) along with reforms aimed at increasing the representation of officers of color in the police force (Brown and Frank 2006). Proponents of a more diverse police force argued that officers should be more representative of the populations they serve and that this, in turn, would improve police-civilian interactions (Brown and Frank 2006). Underlying this assumption is the notion that minority officers (women and officers of color) behave differently than their white male counterparts (Brown and Frank 2006). This chapter explores this assumption by drawing on empirical data.

Although officer demographic characteristics constitute a "critical set of variables" affecting officer responses to domestic violence (DV) calls (Buzawa, Buzawa, and Stark 2017: 177), there have been inconsistent findings regarding the influence of certain officer characteristics, particularly gender and race (Robinson and Chandek 2000). Some studies find gender differences in how officers respond to DV cases, while other studies find a weak relationship between officer gender and responses (see Poteyeva and Sun 2009 for a review). Similar inconsistencies have been found regarding the influence of officer race on police responses to DV calls (Gover, Paul, and Dodge 2001; Robinson and Chandek 2000; Trujillo and Ross 2008). In this chapter, I reexamine

these issues and consider the impact of officer characteristics (gender and race) on

perceptions and decision-making regarding domestic violence. This offers insight into

how extra-legal characteristics influence the discretion and decision-making of street-

level bureaucrats (Lipsky 2010). I consider this within the context of policing as an

inequality regime (Acker 2006) and add to the discussion of organizations as sites of

inequality reproduction, particularly regarding gender. I also consider the role of officer

race in a "colorblind" society (Bonilla-Silva 2018).

The Sameness versus Difference Perspective: Reconsidering Police Subculture

Research that examines the impact of officer characteristics on their responses in

the field can be categorized into one of two perspectives: the "sameness" approach and

the "difference" approach. The sameness approach argues that all officers have similar

capabilities in part because of their occupational identification and socialization

(Poteyeva and Sun 2009). This perspective builds on the notion of organizational

socialization in the workplace, which emphasizes the process by which new employees

learn to "fit in;" notably, by adhering to the perspectives and rules maintained by other

employees (Van Maanen and Katz 1979). Police subculture theory expands on this and

postulates that the police are a "distinct subgroup with a particular ethos that strongly

influences their daily practices...whose behavior is more significantly structured by

informal norms than by formal rules" (Herbert 1998: 343). In other words, officer

behavior is more influenced by the informal socialization that occurs between officers

than by the formal rules and regulations of the organization. The *blue cop* thesis, which

argues "that the color of the uniform is the only color that matters" in police-civilian

interactions, not the race of the officer (Weitzer and Tuch 2006: 99) also aligns with the sameness approach. According to this perspective, officers' embeddedness within the policing subculture has a more salient impact on their occupational behaviors than their individual characteristics; thus, differences in their responses based on race and/or gender should be minimal.

There is some support for the sameness approach. When considering police-civilian interactions more generally (i.e., not within the context of domestic violence), there is evidence that men and women officers make similar arrest decisions (Novak, Brown, and Frank 2011). Similarly, Paoline, Myers, and Worden (2000) found that police officers' values are not significantly influenced by their demographic characteristics; thus, they are presumed to respond to cases in similar ways. In his study of civilians' assessments and preferences toward Black and White officers, Weitzer (2000) found that officers' race had little influence on civilians' assessments and there was little support for race matching between officers and civilians.

Within the context of DV, Stalans and Finn (2000) found that men and women officers make arrests in hypothetical DV cases at about the same rates, but that they considered different criterion when making these arrests. In particular, women officers gave more consideration to the victims' preferences for arrest compared to male officers. Still, although the motivations for arrest differed between men and women officers, the likelihood of arrest was consistent across groups. An additional study by Stalans (2007) compared officers of color with White officers and found little difference in their handling of domestic violence cases.

Alternatively, the difference approach posits that the demographic characteristics of officers play a significant role in shaping police behavior. This is due to differential socialization based on their social identities, as well as stereotypical expectations associated with those identities. This approach critiques police subculture theory as presenting a monolithic, homogenous occupational subculture that contributes to decision-making (Haarr 1997), which fails to account for the structural variations within the police organization (Narayanan 2005). For instance, there are various police subcultures as a result of the segmented, hierarchical nature of police organizations (e.g., "street cops" vs. "desk cops," rank-and-file officers vs. sergeants vs. captains, etc.) (Narayanan 2005), which may also have an impact on officer discretion. In addition to the hierarchical structure based on officer rank and experience, it is well documented that other dimensions of social life, including race and gender, also serve as hierarchical features within work organizations (Acker 1998, 2006; Martin and Jurik 1996; Ridgeway 2001, 2011; Risman 2009).

The difference approach is aligned with the literature on inequality regimes and organizations as sites of inequality reproduction. According to Acker (2006: 443), inequality regimes refer to the "interrelated practices, processes, actions, and meanings that result in and maintain class, gender, and racial inequalities" within organizations. For instance, within policing, masculinity is emphasized, and femininity is stigmatized (Miller 1999). Depictions of policing accentuate physical strength, crime fighting, and danger (Martin and Jurik 1996), which are associated with masculinity. Conversely, stereotypes construct women officers as more nurturing, more empathetic, less violent,

and more dedicated to public service (Worden 1993); thus, potentially less suited to "real" police work. Consequently, many officers downplay the "feminine" aspects of the job (Miller 1999; Prokos and Padavic 2002), and distance themselves from cases that involve "women's issues," such as domestic violence calls, which are often dismissed as not "real" police work (Herbert 2001). In fact, domestic violence calls are among the lowest status of all cases and, consequently, are often assigned to women officers (Britton 2011). This social reality likely influences the ways in which men versus women officer's experience and respond to different cases.

Similarly, the social organization of policing often reflects racial hierarchies and discrimination (Britton 2011; Haarr 1997); although there is some evidence that African American men, in particular, have had an easier time integrating within policing "because they are more likely to conform to the ideal type of physical strength, size, and street smarts that have traditionally defined the occupation" (Britton 2011: 129). Even still, Black male officers have different experiences, perceptions and attitudes about their occupation and colleagues than their White male counterparts (Haarr 1997), thereby highlighting racialized stratification within police culture.

Thus, according to the difference perspective, officers will respond to DV calls in distinct ways depending on their demographic characteristics and associated gender and race-based expectations. The literature includes some support for this perspective. For instance, the National Center for Women and Policing found women officers are "less likely to use excessive force, misconduct themselves, or become cynical toward citizens," and that their emphasis on communication to resolve disputes may help improve police

responses to DV calls (cited in Garcia 2003: 338-9). Similarly, Rabe-Hemp (2008: 431) found that women officers "were much less likely than men to use extreme controlling behavior, such as threats, physical restraints, searches, and arrests." Moreover, Robinson and Chandek (2000) found that women officers are less likely to make an arrest than men officers at domestic violence cases. This may be because women officers are more likely to adhere to victims' preferences regarding arrest, rather than policy mandates (Robinson and Chandek 2000; Stalans and Finn 2000). Women are socialized to be more nurturing and considerate of others' well-being relative to men, thus, women officers may be less likely to adhere to policy mandates at the cost of going against the victim's wishes. This indicates that men and women officers may respond to calls for service in distinct ways.

Regarding race, some research finds differences in arrest decisions between White and Black officers. Brown and Frank (2006) find that Black officers are significantly more likely than White officers to arrest Black civilians. Similarly, White officers are more likely to arrest White civilians in comparison to Black officers. This suggests that police-civilian race matching has an impact on officer's decision-making such that officers engage in hyper-policing within their own racial communities. This may be an indication that officers are more lenient toward civilians of a different race (Brown and Frank 2006), or, perhaps, they do not want to appear "soft" with civilians who share their race to avoid being labeled as biased by their colleagues. There is also evidence of racial differences in decisions to arrest between Black and White officers depending on specific situational criteria. For instance, Black officers are more likely to make an arrest when there is a child present at the scene of a domestic violence incident, an indication that

they may be more likely to enforce arrest policies to protect minors (Gover, Paul, and Dodge 2011).

In summary, there is evidence in support of both the sameness and difference perspectives. The literature on the influence of officer gender and race on officer responses in the field is inconclusive. The aim of this chapter is to clarify these relationships and offer support for one perspective over the other.

Analysis

In this chapter, I focus my analyses on themes related to the demographic characteristics of officers (notably, gender and race), to address the question, "How do officer demographic characteristics shape perceptions of officer ability and police responses?" To answer this question, respondents were asked: "As a (fe)male officer, do you feel your gender has an impact on your interactions with civilians during domestic violence calls? How so?" The same questions were asked regarding race: "Do you feel your race has an impact on your interactions with civilians during domestic violence calls? How so?" I had to probe some officers and reworded this question as, "In comparison to officers of a different gender/race, do you feel your gender/race gives you an advantage or disadvantage when responding to domestic violence calls?" As a result of this wording, officer responses often centered around the perception of advantage and/or disadvantage.

Findings

This chapter examines the influence of officer demographic characteristics on officer perceptions and responses in the field to domestic violence cases. Respondents

perceive there to be gender and race-based distinctions between officers that make some officers better able to respond to domestic violence calls than others. While gender distinctions are found to maintain inequalities within the policing organization, race-based differences did not permeate the larger organizational culture. The following sections provide qualitative descriptions related to these themes. I also provide some descriptive statistics as insight into the prevalence of the views offered by respondents.

Does Gender Matter?: The Difference and Sameness Perspectives

Evidence of the "difference" perspective is pervasive in the data. Respondents perceived there to be gender- and race-based distinctions between officers that made some officers more responsive to domestic violence calls than others. In many cases, perceptions of ability to adequately handle a DV call reflected gender stereotypes – that is, women officers were depicted as better communicators and as more likely to deescalate the situation. Five of the eleven female respondent's in this study (about 45%) believed being a woman gave them an advantage when handing DV calls. Comparatively, only three of the twenty male respondents (15%) felt being male gave them an advantage when handing DV calls, and five male officers perceived women officers to be at an advantage.

Perceptions of advantage among women officers often reflected essentialized traits of women as better nurturers and communicators, which were presumed to make them better adept during interactions with DV victims. This is consistent with past work which finds women officers are often believed to embody greater empathy and possess greater communication skills than their male counterparts (Rabe-Hemp 2009). For

instance, Evelyn, a White detective with over 20 years of experience, confidently stated

that being a woman better equipped her to handle DV calls because women "reason

better" and "analyze faster." She elaborated by saying,

> I found myself talking more people into the back seat of my car than anything else just because you're able to reason with them. I mean, I've had to pull [male] partners back. "Whoa, whoa, whoa. Hold on. Let's just talk this through." Most guys, they're ready to rumble and you're like, "Whoa. Easy."

Sofia, a Hispanic detective with 12 years of experience, refers to this as the "gift of gab."

That is, women officers rely on their ability to problem solve and calmly communicate

with civilians to get them to do what they want. This is juxtaposed with male officers

who are portrayed as more aggressive and likely to use force to get the result they desire.

This "gift of gab" may work to improve police responses to DV calls, as noted by the

National Center for Women and Policing, who similarly find that women officers are

more likely to rely on communication to resolve disputes (Garcia 2003).

Ann, a Black detective with 22 years of experience, also cited the advantage of

being a female officer when recounting her experiences handling a case with a male

victim of heterosexual violence. She posited that her female identity led the victim to

view her as more approachable than her male counterparts:

> When you think about it, his father was saying he wasn't being a man…And then, you had these two male officers looking at him like he's not being a man…And [the victim] looked at it like, "Here's a woman in this role, in this position, in charge. She's not looking at me as less than a man. She still sees I'm a man and I'm being a victim."

In this instance, being female was useful for establishing rapport with the victim. Ann

noted that her identities as both a female and an officer allowed the victim to see himself

as a victim, despite his male gender. In comparison, the victim felt that he was unable to

get validation as a victim from the other men present, which included his father and two other male officers. The reluctance to view him as a victim may stem from hegemonic masculine stereotypes about how men are supposed to act, including being able to defend themselves from violence (see Chapter 5 for a more thorough discussion of victim stereotypes). According to Ann's assessment, the victim felt the need to "man up," project strength, and downplay his victimization when surrounded by other men. Conversely, he expressed his vulnerability more readily with a woman officer who was presumably not holding him to hegemonic masculinity norms. The perception of approachability of women officers is noted in the literature (DeJong 2005) and similarly found in this example.

Men officers also highlighted stereotypically gendered characteristics when positing that women officers were at an advantage when handing DV calls. Each of the five officers who discussed this advantage emphasized the "innate" differences between men and women, suggesting that women are more "emotional" and easier to talk to about "intimate stuff," such as domestic violence. For instance, Caleb described an "emotional connection between two women, one of which is a police officer and the other a victim of domestic violence" that is not present between a male officer and a female victim. When matched according to gender, this "emotional connection" may result in easier communication between the woman officer and woman victim. Still, the perceived ability of civilians to more easily communicate with a female officer was not limited to cases of gender matching, as was evidenced previously by Ann. Rather, women being perceived

as more "emotional" makes them better to handle DV calls, regardless of the victim's gender.

Phillip reiterated this sentiment and stated, when dealing with domestic violence and sexual assault, "I think being [a] female [officer is] easier, because that's really intimate stuff you're talking about." This statement misrepresents violence as being more intimate or emotional than other cases. In addition, the implication is that the nature of the case lends itself better to officers of a specific gender - women. Accordingly, the "emotional" and "intimate" nature of certain cases are better suited for women officers, who share these stereotypes of femininity. Yet, the ability of women officers to establish an "emotional connection" with victims arguably means women officers are better able to respond to civilians regardless of the type of case. That is, women officers are presented as uniquely able to respond to DV, but their ability to connect with civilians makes them better prepared to respond to all crime victims. In line with this view, some studies find women officers are perceived to be "more effective at calming tense situations" (Shelley, Morabito, and Tobin-Gurley 2011: 359). Arguably, then, women officers are better suited for police work, which necessitates the ability to connect with civilians and deescalate tense circumstances.

A few male officers (N = 3) stated that being male gave them an advantage when responding to domestic violence calls because of stereotypes associated with masculinity. They argued that gender differences between female officers and male civilians could be problematic. To alleviate this tension, they suggested that gender matching allowed them to more effectively maintain control during interactions with male civilians – often

perpetrators. David, a Hispanic detective with 16 years of experience, stated, "I find that sometimes male [civilians] will not talk to female [officers] as much, if there's, like - a lot of cases where there's domestic violence, like a machismo." Although the term "machismo" is typically associated with Latinos (Mirandé 1997), David clarified, "Anybody can have a machismo, a male arrogance, you know, however you want to word it." In this case, David did not associate machismo with a specific race, but, instead, with a specific gender. David depicted machismo as "male arrogance," and suggested that such arrogance could result in male civilians not wanting to interact with a female officer. Thus, as a male officer, he believed that he was able to interact with male civilians in a way that a female officer could not, which was advantageous in DV cases.

When interacting with male civilians, Miguel, a Hispanic officer with 10 years of experience, reiterated this sentiment regarding female officer-male civilian interactions,

> For me, it's – 'hey, I'm talking to you *man to man*,' and in most cultures…it's easier. Men deal with men. But for the female officer, a man's going to look down on you even if you are wearing a badge. And so, she has to break through that, and it's difficult…I've seen how difficult it can be…God forbid the female officer's the one that puts handcuffs on. It's a big issue. We work through it.

Here, Miguel described the gender hierarchy whereby men are assumed to possess greater power and authority over women, regardless of the role they occupy (e.g., civilian or officer). Women officers challenge and complicate this hierarchy through their status as officers, which provides them with legal authority over civilians. Still, male citizens may feel conflicted by their obligation to defer to the legal authority of an officer, while also wanting to "resist being controlled by or deferential to a woman" (Martin 1999: 119). Thus, male civilians may look past the badge and challenge the officer based on her

gender. In contrast, male citizens may be more cooperative while interacting with male

officers, who share gender privilege and also maintain a superior status based on their

legal authority (Miller 1999). In these scenarios, a clear distinction emerges between

officers based on their gender whereby being male is perceived by some officers to be

advantageous in interactions with male civilians who subscribe to the dominant gender

hierarchy.

Gender differences were also noticeable in cases where female victims were

uncomfortable talking to male officers. David pointed this out: "I mean, we've been to

calls where you have a female victim, and the victim doesn't want to talk to my partner or

I because we're both males, and a male assaulted her, so she associates us with them, and

we're also guilty. The female doesn't want to talk to us. So, we'll get a female [officer]

out there." Here, gender plays a significant role throughout the interaction between

officers and victims of domestic violence, particularly in cross-gender interactions (with a

male officer and female victim). Roberto provided further scenarios in which such cross-

gender interactions thwart their efforts to apprehend perpetrators of DV and gather

evidence. He explained:

> Sometimes what the abusers are doing now is that they're abusing the person not
> in the areas that we can physically see. So, they're not hitting you in the arms…
> But what they're doing is that they actually - they're hitting a woman in the breast
> area, areas that you not really want to show a police officer, especially if it's a
> male police officer. And like in [one] case, that's what happened. [The victim]
> had those kinds of injuries that even after four or five days after she went to the
> hospital, it looks so severe when I saw those photos, and not only that, sustaining
> cigarette burns in the pubic areas that a woman would not want to show me.

This concern was reiterated by Cecilia who stated, "A lot of the bruises are in places that

only we [females] can see." In these situations, gender matching may be more productive

if it enables victims to feel more comfortable confiding in officers; yet such justifications simultaneously reify essential notions about officer characteristics that vary by gender.

Barring a few exceptions, officers overall perceived their gender as advantageous when interacting with civilians of the same gender, but disadvantageous when interacting with those of a different gender. That is, respondents perceived female officers to be better equipped to deal with female civilians, and male officers to better respond to male civilians. This preference for gender matching was captured in my ethnographic fieldwork as well, where I often spent time riding along with a male/female officer duo. In cases involving a male and female civilian, the officers exclusively responded to the civilian that shared their gender. There is some evidence that gender matching between officers and civilians has a positive impact on victim satisfaction (Jordan 2002). However, little is known about officer preferences of gender matching and their feelings of efficacy. My analyses suggest that officers may also prefer to gender match, particularly in cases of domestic violence, which may have a positive impact on their interactions with civilians.

While less common, there was also some support for the "sameness" perspective where, according to officers, victims did not express any preferences for officer gender, nor did it influence officer-civilian interactions. Four male officers and one female officer expressed this sentiment. Garrett, an Asian detective with 12 years of experience, provided an illustration of this phenomenon: "By the time we get there, generally, I would say 99% do not care who shows up. They just want the help." Diego, a Hispanic patrol officer with ten years of experience, expressed a similar understanding: "we'll

always ask a female [civilian] if they feel comfortable talking to us as male officers. And

when they say they're comfortable, we talk to them. And for the most part, the female

victims do open up to us. There's been very, very rare occasions where they don't want to

talk to us... But by and large, it works out." These quotes reflect the belief that officers

are equally capable of responding to domestic violence calls regardless of gender

differences. Still, the caveat here is that officers' perceptions of efficacy are dependent on

the presumed or expressed preferences of the civilians they are interacting with.

Overall, there is evidence that officers and civilians reify gender differences and

emphasize gender matching as a means of accounting for these differences. Social

constructionism speaks to this tendency for gender differences to be established as

"normal" and "natural," and, thus, the presumption that people of different genders have

different abilities is reaffirmed (West and Zimmerman 1987). As noted, there were some

exceptions where gender was not believed to be significant and, consequently, cross-

gender interactions were noted as successful. That is, officers felt they could adequately

respond and establish rapport with the civilian regardless of their gender. This challenges

the assumption that men and women are fundamentally different.

The Organizational Consequences of the Gender Difference Approach

Organizational structures can reproduce hierarchies through segregation and

exclusion of certain marginalized people, such as women and people of color, thereby

keeping the dominant group, white men, in positions of power (Acker 1992). Within

policing, one such way to maintain gender inequality is through discriminatory

assignment of duties, such that women officers are relegated to work that is less valued,

such as "paperwork, responding to victims of violence or sexual offense, foot patrol, community relations, training divisions, and non-emergency calls, while male officers are…assigned to public disorder and violent crime, traffic, emergency responses, and other danger-prone situations," work that is more valued (Shelley, Morabito, and Tobin-Gurley 2011: 358). In an examination of gender and policing, Westmarland (2001) found that women officers have become unofficial experts on matters pertaining to "women's issues," including child abuse, sexual assault, and domestic violence. As a result, they are often assigned to these divisions and have fewer opportunities to work in other areas of potential interest and/or those with higher status.

Although not a common theme, there were two instances where stereotypes about women officer's abilities to better handle DV calls resulted in their assignment to these cases. For instance, Ann recounted a time where she was called to handle a DV case involving a transgender victim, simply because the male officers who initially responded were "uncomfortable" and unprepared to interact with a non-traditional victim:

> The officers … when they called me, they said, "can you come to this call?" And I go, "Why?" I said, "What is it? Domestic? What you got?" And he said, "Well, we don't know." And he told me, he says, "Well, it's two guys, but one's dressed as a female, and we don't know what to do." … I knew the officer. He didn't mean any harm. He just didn't know how to interview him. One, they were uncomfortable, and two, they didn't know… who does what? Because it's like, he's dressed as a female, but who are we supposed to examine for injuries? They were so uncomfortable. I said, "I got you." So, we rolled out there and everything.

In this case, Ann was not called to the scene because of her experience as a domestic violence detective, but because of her gender. The presumption that she would be better able to respond speaks to the reliance on gender stereotypes when assigning calls. In addition, the male officers who initially responded were uncomfortable and felt ill-

prepared to interview and interact with a gender non-conforming civilian. Although Ann

argued that their intent was not malicious (i.e., "He didn't mean any harm"), this is a

clear indication that gender sensitivity training among officers is lacking (issues

surrounding training are discussed more thoroughly in Chapter 3). Resultantly, women

officers may be called to handle certain cases because of essentialist stereotypes of

women as "naturally" more compassionate or empathetic. As previously discussed, this

provides evidence for the argument that women officers are better able to handle all types

of cases, not just DV.

More broadly, gender stereotypes can have an impact on the unit an officer is

assigned to. In discussing how she got involved with the domestic violence unit, Judith, a

White detective with 14 years of experience, explained:

> It's kind of weird how you just kind of get categorized, you know? Like, I worked
> child abuses, and I worked with sex offenders, and then domestic violence, and
> then you kind of just fall into place there, and then that becomes your specialty…
> And then not a lot of people want it or are willing to work it, and when you have
> that experience, they oftentimes just say, you're going here because nobody else
> wants to and you have experience.

When asked why other officers are not "willing to work" in certain areas, Judith stated,

"because some people can't emotionally handle it." Within policing, occupational norms

emphasize minimal emotional expression, even emotional detachment, to promote

objectivity while in the field (Karmen 2004). However, these expectations for "emotional

self-management" may be gender specific, such that females are permitted to express

"soft" emotions – such as compassion and sadness, whereas males are limited to

expressing "hard" emotions that involve controlling feelings of fear, anger, and hostility

(Martin 1999). As such, women, stereotyped as being more "emotional," may be charged

with handling cases that require more emotional labor (Hochschild 1983), including domestic violence.

The Relevance of Race: Support for the Difference and Sameness Perspectives

Officers also felt that certain aspects of their racial backgrounds shaped their interactions with civilians. For instance, officers who racially identified as Hispanic[3] (N = 15) almost exclusively believed that they possessed distinct traits that gave them an advantage when interacting with civilians of the same race. Of these respondents, about half felt they possessed an advantage because they spoke Spanish and could effectively communicate with the large proportion of the population in California that also speaks Spanish (28.8%; Statistical Atlas 2018). It should be noted here that in many cases respondents conflated race with language. Avoiding overt discussions of race is likely symptomatic of living in a "colorblind" society like the U.S. (Bonilla-Silva 2018) where simply *acknowledging* the existence of race can be equated with *being* racist (Glazier 2003; Ullucci 2006). This reflects a more general trend where officers framed differences around more socially acceptable topics; in this case language or culture (see also Chapter 5 for how officers reframe racial difference as cultural difference).

Roberto, a patrol officer with nine years of experience, provided an example: "the ability to speak Spanish, for me it pays off tremendously. Because when I do my investigation, I don't need a person to translate for me. Because sometimes things get lost

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[3] I use the term "Hispanic" because this is how most respondents (N = 12) self-identified. Two respondents self-identified as Mexican and one self-identified as Latino. They are included here as "Hispanic." I recognize the problems associated with using homogeneous categories to account for racial variation (see Celious and Oyserman 2001). This term is also used by both agencies I sampled from when reporting demographic data on employees.

in translation." In addition, speaking the same language allows Roberto to "connect" with

civilians and "show them that [he] care[s]." Non-Spanish speaking officers, according to

Roberto, are unable to have the same type of emotional connection because they are

reliant on translators to communicate. This sentiment is interesting to consider in light of

the previous discussion of gender; specifically, the notion that women are able to

establish an emotional connection with civilians in a way that men officers cannot.

Conversely, Roberto suggests that speaking Spanish with Spanish-speaking civilians can

also lead to an emotional connection, despite his gender. Perhaps, then, it is a matter of

marginalization-matching. That is, women officers can establish a connection with

women officers based on their marginalized status as women. Similarly, Spanish

speaking officers can connect with Spanish speaking civilians based on their

marginalized language and potentially racial status. Roberto's comment also challenges

the notion that male officers cannot express soft emotions, such as compassion (Martin

1999).

Speaking Spanish in a highly Spanish-speaking county is also advantageous in

domestic violence cases specifically. David, a Hispanic detective with 16 years of

experience, explained that with "domestic violence [cases], you want to be able to

articulate yourself in a way that they understand you're just there to help them and get to

the truth." English speaking officers may "have trouble communicating" this sentiment to

Spanish-speaking civilians, David argued. Beyond emphasizing the importance of

language, David's comment also reinforces the perception of DV cases as unique. Yet,

helping a civilian and getting to the truth should be a priority for officers no matter what type of case they are responding to.

Three non-Hispanic officers likewise emphasized the importance of language on police-civilian interactions. Gary, a White detective with 22 years of experience, summarized this perspective:

> we've got to be one of the most diverse counties in the country…[and] I think race has less to do with it as…the language. It all depends on if you can communicate. Doesn't really matter what color you are… So, if everybody is communicating, it will make more cohesion and more acceptance of each other...That's what I think. So, they [civilians] will feel more comfortable talking to somebody they can communicate with.

Gary reiterated the importance of language for creating a feeling of comfort between officers and civilians that extended beyond racial categories. Adam, the only respondent who identified as multiracial (specifically, Hispanic, White, and Filipino), also recognized that officers who speak the same language as the civilians they serve may have a better rapport. He argued, "I don't speak Spanish and I don't have connections with Hispanic culture…even though I am part Hispanic…[but] maybe a Hispanic officer who speaks Spanish would have an advantage or that communication." Still, when asked if his racial identity played a role in how he interacted with civilians, Adam stated, "Not really… Especially culturally and language wise, I don't have ties to any one, specifically, so I think that makes it easier for me to be more impartial." Thus, while Adam recognized that a Spanish-speaking officer may have an advantage when interacting with a Spanish-speaking civilian, in general, not sharing a language or culture did not have an impact on his ability to remain impartial, which he viewed as an important part of a patrol officers' duty.

Alternatively, Phillip, a White detective, challenged the notion that an officer and civilian who speak different languages cannot establish a level of rapport. As a monolingual English speaker, Phillip noted that responding to a DV case that involves Spanish-speakers necessitates he call a Spanish-speaking officer for assistance. But, that "it's not hard to get an officer to come to speak… [because] there's always someone around who speaks Spanish." He also stated his race does not influence his interactions with the civilians he encounters: "I've never felt…that somehow my race was…'He can't relate to me.'" Thus, while there is arguably a disconnect when relying on other officers to translate, Phillip does not believe this language barrier or being of a different race than the civilian he is interacting with has a significant impact on his ability to assist civilians. This outlook is in line with the sameness perspective, which suggests that officer race does not have an impact on officer responses in the field. Alternatively, this rhetoric that race does not matter is indicative of colorblind language, which seeks to minimize or deny racial differences (Bonilla-Silva 2018). In some cases, Whites rely on colorblind language to claim that they "don't see any color, just people" (Bonilla-Silva 2018: 1); thus, avoid being labeled racist. This may have been the case with Phillip, or perhaps, he was trying to assure me of his efficacy as an officer, despite serving a population that is predominantly racially different than himself.

In addition to the advantage of speaking the same language as the civilians they serve, Hispanic officers noted that they shared cultural understandings about family violence with Hispanic civilians that non-Hispanic officers lack. According to Roberto, this is why law enforcement agencies are "hiring more people from within because to get

people that are from the same culture, language, and everything, it gives us a better

advantage because we understand." This notion is reflected in the percentage of Hispanic

officers in the police and sheriff's departments I sampled from (about 45%), which well-

reflects the population in California that is Hispanic or Latino (39.1%; U.S. Census

Bureau 2016). Anthony, a Hispanic patrol officer with ten years of experience, elaborated

on how sharing a culture makes him better prepared to handle DV calls within the

Hispanic population,

> I grew up in a household that kind of dealt with…family violence…Traditionally
> Hispanic families are pretty big, and mine was definitely one of those. So, you'd
> have fights between cousins and, you know, domestic disputes that basically
> sucked the whole family into it and kind of split it up. So, I understand… I guess,
> maybe culturally speaking, I have a better understanding of why it happens or
> even why it's maybe tolerated a little bit more…amongst family members than it
> would be in…society as a whole.

Here, Anthony argued that being Hispanic gives him an insider understanding of why

violence happens within Hispanic families. This understanding aids in his efficacy as an

officer. Interestingly, Anthony also downplayed and normalized domestic violence as

something that is "more tolerated" in Hispanic families. This reinforces perceptions of

violence as normal within racial minority communities and is indicative of cultural

racism, whereby culture is blamed for deficiencies rather than structural inequalities

(Bonilla-Silva 2018) (discussed more thoroughly in Chapter 5).

In general, non-Hispanic respondents did not feel that their racial identity

significantly impacted on their interactions with civilians, which is in line with the

sameness perspective. A more likely explanation is that respondents were uncomfortable

discussing race and racial differences. This is symptomatic of living in a "post-racial"

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society which necessitates the denial of race generally as well as any differences based on race (Bonilla-Silva 2018). People are discouraged from talking about race or reflecting on how race influences the social world and those that do run the risk of being labeled "racist" (Bonilla-Silva 2018). One exception was Judith, a White detective, who noted how her racial identity was a common source of tension when interacting with the predominantly Black and Hispanic residents in Southern California. She recalled, "I completely understand - they feel like maybe I'm judgmental; I don't understand their culture; they feel misunderstood." Interestingly, Judith cited her gender identity as giving her more rapport within these communities. She continued, "I think being a female, though, was a little step up." This potentially reflects a shared marginalized status – Judith as a woman, and Black and Latino residents as racial minorities. Both groups hold less power in society than white men; thus, Judith may have been perceived to be less threatening to communities of color.

Unlike with gender, respondents were not sought out to handle domestic violence cases based on their race. The only reason an officer of color might be asked by the responding officer to assist with a case would be if the responding officer needed a translator. Thus, while officers of color often expressed different perceptions regarding their efficacy as officers, the data suggest that these race-based differences did not permeate the larger organizational culture.

Discussion and Conclusion

This chapter considered the influence of officer demographic characteristics (gender and race) on officer perceptions and responses in the field in domestic violence

cases. My findings contribute to the literature in several ways. Consistent with past work, I found evidence that officer's perceptions of themselves and their abilities differed based upon gender and race, which aligns with the difference perspective (DeJong 2005). Female officers' discussions echoed those in the literature which point to women as more empathetic, having better communication skills, and using less force than their male counterparts (Rabe-Hemp 2009). These officers perceived such essentializing characteristics as advantageous to them and their effectiveness as officers when interacting with female victims. Interestingly, this approach is also promoted by departmental policy which requires female victims be given the option to speak with a female officer. This policy formally endorses the notion that female officers have distinctly different characteristics that make them better adept to interact with female victims. However, the advantage afforded to female officers was often limited to interactions with female victims. During interactions between female officers and male civilians, some officers cited being female as disadvantageous for officers. This is due to, as one officer suggested, "male arrogance" whereby some male civilians do not want to interact with female officers because of the dominant gender hierarchy that portrays women as submissive and men as dominant.

In contrast, most male officers felt indifferent about the impact of their gender on their work, with some exceptions. This is unsurprising since men often see themselves as genderless, as male is the norm (McIntosh 1988). Still, a few point out gender differences in interactions involving female victims who experienced violence by a male partner and subsequently did not want to speak with a male officer. In these instances, gender

differences between officers were brought to light. There is some indication, then, that officers have more positive interactions when they gender match with civilians. Additional research is needed that considers officer preferences for gender matching and their actions in the field.

Officer perceptions regarding who is better able to respond to a given call may reinforce the gender hierarchy present within policing and contribute to policing as an inequality regime (Acker 2006). As women are more likely to be victims of domestic violence, these cases may be passed off to women officers based on officer/civilian gender matching. This reinforces the notion that domestic violence calls are "women's work," and that women officers have "natural" (i.e., emotional) abilities that they bring to the table (this is also true of sexual assault cases, see Jordan 2002). Such assignment matters because domestic violence calls are among the lowest status of all cases (Britton 2011), and duties confers status unto officers. As such, regulating women officers to domestic violence cases contributes to the lower status of women officers within the policing hierarchy. This was the reality for two women officers, who were assigned to specialized units that involved traditionally stereotyped "women's" issues, including DV, because of their gender. This suggests a gendered division of labor whereby responding to victims of domestic violence is assumed to be "women's" work and, thus, more suitable for women officers (Garcia 2003; Belknap 1996).

In addition, presenting women officers as better able to respond to the "emotional" nature of DV calls contributes to the perception that these cases are unique. Yet, there are other cases that would likely be equally if not more emotional (i.e., murder)

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for officers, but that are not presented as "women's" work. Future research should consider why DV cases are presented as different than other crime and how this perception of uniqueness impacts their behaviors in the field.

Furthermore, by considering the responses of Hispanic officers (who composed 47% of the sample), my findings expand on past research which predominantly consider differences between Black and White officers. This is important, as Hispanics are the largest minority group (Passel and Cohn 2008), the second fastest growing racial population in United States (Flores 2017), and comprise a large proportion of Southern California police officers. In comparison to gender, respondents were more reserved in talking about how their race shaped interactions with civilians. While officers of color often expressed different perceptions regarding their efficacy as officers, they framed these differences around language or culture – more socially acceptable topics surrounding difference. For instance, Hispanic officers cited the ability to speak the same language and share cultural understandings of family and violence as allowing them to establish more rapport with the civilians they interacted with. This aligns with past work which found that officers of color have a better understanding of victims and offenders of color due to their shared insider status (Weitzer and Tuch 2006).

Overt discussions of racial differences were rare. In fact, with few exceptions, non-Hispanic officers claimed that race had no impact at all. This is unsurprising within a "colorblind" society like the U.S., where simply *seeing* race is equated with *being* racist (Glazier 2003; Ullucci 2006). It may be for this reason that the respondents in this study did not discuss racial differences in the same way that they discussed gender differences.

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Gender differences are more acceptable to discuss and, consequently, were reified. Racial differences were ignored or reframed. Alternatively, the reluctance to talk about race specifically could reflect some degree of social desirability, such that respondents wanted to present a positive image of themselves during our interactions and talking about race would negate that. In either case, this suggest that colorblind racism is prevalent within policing. There is also some evidence that officers use colorblind language when discussing cross-race interactions; however, as this was not a focus of this study, additional examination of the use of colorblind language among officers is warranted.

This suggests that demographic characteristics of officers' have an impact on discretion and decision-making, although gender appears to be a more salient factor than race. Future research should also consider additional characteristics of officers such as age, tenure, personal experience with DV, etc. It is likely that these factors also influence officer discretion in ways that I was unable to analyze in this project.

CHAPTER 5

STEREOTYPES AND PERCEPTIONS OF WORTHY VICTIMHOOD: CONSIDERING THE GENDER, SEXUAL ORIENTATION, AND RACE OF VICTIMS AND OFFENDERS

As street-level bureaucrats (Lipsky 2010), police officers have power over the allocation of legal resources and discretion over when and how to apply the law. As cultural agents, their actions also have broader symbolic and cultural significance, such that they often convey "meanings about persons through linking them to criminal activity or otherwise implicating them in the operation and success or failure of the criminal justice system" (Walker 1996: 57). In this regard, the police actively generate and regenerate meanings about certain types of people and types of conduct (Walker 1996).

In this chapter, I examine these interlocking issues to address how social inequalities and stereotypes shape police perceptions and their allocation of resources. More specifically, I focus on the extent to which officer perceptions and responses in the field draw on, challenge, and/or reproduce gendered, sexual orientation, and racialized stereotypes among domestic violence (DV) victims and offenders. In doing so, I add to the literature on stereotyping and worthy victimhood and consider the relationship between police perceptions, practice, and social inequalities. This offers insight into how street-level bureaucrats perpetuate or undermine broader inequalities through their policing of crime.

Officer Discretion, Perceptions, and Worthy Victimhood

Street-level bureaucrats have substantial discretionary power over the ways in which public benefits or sanctions are allocated to citizens. However, because street-level bureaucrats lack the time, resources, and information to uniquely respond to each individual case, differential distribution of services to citizens is common, where some citizens receive services/sanctions and others do not (Lipsky 2010). Within policing, services and sanctions include arrest, mediation, taking a report, or providing specialized services – for instance, for a DV call, providing an emergency protective order or taking the victim to a shelter. Additionally, police may choose to take no action at all.

On one hand, differential distribution of resources may reflect the coping mechanisms of street-level bureaucrats who must use discretion to manage large caseloads (Lipsky 2010). That is, street-level bureaucrats "invent modes of mass processing that more or less permit them to deal with the public fairly, appropriately, and thoughtfully" (Lipsky 2010: xiv). For police, this may involve developing techniques to address certain types of conflicts, notably those perceived to be the most dangerous (Lipsky 2010). For example, each 911 call that comes into the police is assigned a code number, with a code three call being "urgent" and a code one call meaning officers should get to it when they can. These types of systems allow officers to process mass amounts of cases while also prioritizing those cases that pose the most danger.

On the other hand, differential distribution may also be a result of officers' own biases such that their responses to certain types of people reflect discriminatory or stereotypical ideas. For example, studies have consistently found evidence of differential

enforcement of traffic laws by race (Meehan and Ponder 2002; Warren et al. 2006), whereby Black and Hispanic persons are overrepresented in stops by police in comparison to their White counterparts (Aguirre 2004; Harris [1999] 2009; Smith and Petrocelli 2001). These patterns exist even though people of color and Whites violate traffic laws at comparable rates (Harris [1999] 2009). Additionally, despite policies that prohibit racial profiling, citizens of color – particularly African Americans – are policed, searched, and arrested more than their White counterparts; again, despite comparable rates of crime offenses (Warren et al. 2006; Weitzer and Tuch 2006). This is likely a reflection of the pervasive stereotype of people of color as criminal (Welch 2007). The resulting differential treatment of civilians is consistent with the conflict theory perspective which posits that police enforcement of laws is often differentially applied in ways that reinforce social inequalities (Buzawa, Buzawa, and Stark 2017).

There is also evidence of differential legal treatment of civilians involved in domestic violence cases based on perceptions of worthy victimhood (Berger 2009). Social constructionism and the literature on victimhood posit that society labels certain groups of people (e.g., men and people of color) as less worthy of law enforcement resources than other groups of people (e.g., white women) (see Buzawa and Buzawa 2003; Hill 2005; Migliaccio 2001; Sokoloff and Dupont 2007). These constructions reflect hegemonic discourses of victimhood surrounding gender, sexual orientation, class, and race. Depictions of victims are centered on notions of powerlessness and passivity (Berger 2009; Ferraro 2006; Hollander 2001), markers of white femininity. "Worthy" DV victims are constructed as abused, helpless, moral, self-reliant, and willing to cooperate

with the criminal justice system (Berger 2009). More specifically, a domestic violence victim is presented as "a white, heterosexual, middle-class woman. She is the essential battered woman because society imagines that it is she who needs protection" (Morrison 2005: 1079). Thus, the worthy victim identity, and consequently, legal practices and legal discourse, are gendered, racialized, classed and sexual orientation specific. These restrictive definitions of victimhood provide expectations about what victims of DV are expected to look like (white women) and how they are expected to behave (passive, weak, fragile). This makes it difficult for those who do not fit this ideal to be taken seriously. That is, if white, middle-class, heterosexual women are constructed as "worthy" victims, then other groups – men, women of color, LQBTQ folks – are devalued and their experiences of DV are not considered "worthy" because people who hold these identities disrupt our assumptions of who a victim is.

Not only do constructions of victimhood create physical and behavioral expectations of victims of DV, but there is also evidence that these perceptions of worthy victimhood have an impact on officer responses and decisions to arrest, which can result in differential distribution of resources (see Buzawa and Buzawa 2003). For example, DV-related arrests are less likely in cases where the victim is male (Brown 2004; Buzawa and Buzawa 2003), in part due to under reporting (Felson and Paré 2005; Kingsnorth and Macintosh 2004). Male victims may be particularly hesitant to contact the police for help because victimization directly contradicts social expectations of masculinity, where men are taught from an early age to be strong, aggressive, powerful, and to assert their manhood over women as well as other men (see Migliaccio 2001). Still, we know little

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about how these social expectations influence officer perceptions of male victims (Buzawa, Buzawa, and Stark 2017).

Arguably, gender expectations explain why officers are less likely to arrest in cases with a male victim. Officers may stereotypically assume a man in a heterosexual relationship is able to protect himself from violence or incorrectly assume he was the aggressor (Buzawa, Buzawa, and Stark 2017). The latter notion is not unwarranted, as male victims are much more likely to be misidentified as a perpetrator than female victims (41% of male victims and 26% of female victims are misidentified) (Barnett, Miller-Perrin, and Perrin 2011). Thus, officers may arrest less in heterosexual domestic violence cases involving female perpetrators and male victims because of stereotypical gender assumptions and the social construction of "worthy victimhood."

The literature on police responses to domestic violence within gay and lesbian intimate relationships is still in its infancy; however, there is some evidence that police responses are equivalent in both heterosexual and same-sex cases. For instance, Younglove, Kerr, and Vitello (2002) found no significant differences in how officers perceived hypothetical domestic violence scenarios based on the sexual orientation of the involved couple. Similarly, Pattavina et al. (2007) found only minor differences in police responses to heterosexual and same-sex domestic violence incidents. Interestingly, however, the authors identified differences in police responses when separately considering male and female same-sex couples. Arrests were more likely in cases of female same-sex violence, irrespective of the seriousness of the offense, whereas in male same-sex couples, the commission of a serious offense necessitated an arrest being made.

This suggests that an arrest is more likely in cases involving female victims despite the sex of the perpetrator, which reflects the stereotypical association of women as victims. Conversely, male victims challenge gendered assumptions of masculinity, power, and victimhood, which may be why arrest only occurred when male same-sex violence was more severe. This suggests that civilian gender (which carries many assumptions) may be more salient in guiding police behavior than civilian sexual orientation.

Regarding race, there is evidence that arrests are less likely in DV cases involving people of color (Buzawa and Buzawa 2003; Eitle, Stolzenberg, and D'Alessio 2005; Smith 1987), particularly in cases where mandatory-arrest DV policies are not in place (Eitle 2005). This may reflect the stereotypical notion that violence within families of color is "normal" and, therefore, legal interventions are not necessary or effective (Buzawa and Buzawa 2003). Additionally, racialized stereotypes have an impact on how a victim is socially defined as well as the ease or difficulty with which they can access legal and social services (Sokoloff and Dupont 2007). For instance, "controlling images" (Collins 2005) of African American women are particularly disadvantageous in that Black women are portrayed as "strong and resilient" (Donovan and Williams 2002: 100) whereas "victims" of DV are constructed as weak and passive (Hill 2005). The "strong Black woman" stereotype prevents society from seeing Black women as "true" victims. In addition, Black women who are victimized may be viewed as "less traumatized than other victims" due to their presumed resilience (Donovan and Williams 2002: 100). This reflects the racial ideology of victimhood as being White and can translate into different services offered to victims of DV depending on their race.

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Conversely, other studies have not found race to be a significant predictor of arrest in DV cases (Hall 2005; Jasinski 2003; Robinson and Chandek 2000). Rather, these studies found the arrest decision to be influenced by situational factors, such as whether the suspect was present at the scene when police arrived (Robinson and Chandek 2000). Thus, racialized stereotypes and perceptions of worthy victimhood may not be relevant to officer arrest decisions. Yet, given the well-established association between race and the (in)actions of law enforcement officers (Eitle, Stolzenberg, and D'Alessio 2005), additional research is needed to disentangle whether officer responses differ based on the social identity of the victim and/or perpetrator.

It should also be noted that certain demographic groups are less likely to call the police for assistance in the first place, which may contribute to the differential allocation of resources among victims and offenders. For instance, between 2006 and 2015, the percentage of nonfatal DV victimizations reported to the police differed by race/ethnicity (Reaves 2017; Rennison and Welchans 2000). Hispanic victims had the highest rates of reporting (64%), followed by Black victims (59%), and White victims (55%) (Reaves 2017). Although reporting rates have improved – the 2015 National Crime Victimization Survey (NCVS) suggests a 58% average reporting rate for all victims – there are still a large proportion of victims who do not contact law enforcement for assistance (Truman and Morgan 2016). Thus, there is an implicit bias in examining police responses to DV, such that certain victim and/or offender populations may be over/under-represented depending on their likelihood of contacting the police for assistance.

Overall, there is some evidence that demographic characteristics of victims and perpetrators have an impact on officer responses and decisions to arrest (Martin 1997); however, we know little about the role of stereotypes engendering police behavior. The aim of this chapter is to clarify these relationships and determine the extent to which officers draw on, challenge, and/or reproduce gendered, sexual orientation, and racialized stereotypes among domestic violence victims and offenders. This is important because different perceptions may result in differential distribution of resources (for instance, male victims being offered fewer resources than female victims). Police biases "partially account for disparities in criminal justice system outcomes," which can result in disparate life chances for civilians (Spencer 2016: 51) and devastation to communities of color (Alexander 2010). In fact, how officers interact with civilians can affect whether victims report subsequent abuse (Klein 2009). If police behavior reflects stereotypical assumptions, such that they do not take certain victims seriously or do not provide adequate resources, victims may interpret their interaction as negative and choose not to call the police during future altercations (Logan, Shannon, and Walker 2006). Thus, the influence of stereotypes on police behavior is far reaching.

Analysis

In this chapter, I focus my analyses on themes related to the demographic characteristics of victims and offenders; notably, gender, sexual orientation, and race. To get at these issues, respondents were asked the following questions: "How often do you encounter male victims in a heterosexual relationship? How do you determine the primary aggressor in these cases?" The primary or dominant aggressor is "the individual

who poses the most serious, ongoing threat, which may not necessarily be the initial aggressor in a specific incident" (International Association of Chiefs of Police 2018: 1). Respondents were also asked, "Is your response to male victims similar or different than your response to female victims? How often do you encounter same-sex domestic violence calls? How do you determine the primary aggressor in these cases? Is your response to same-sex calls similar or different than your response to heterosexual calls? What is the impact of civilian race on reports of domestic violence?" This question of civilian race led many respondents into discussions of culture and immigration status. Once these became apparent as pressing themes, I added questions regarding culture and immigrant status into subsequent interviews. When coding, I also focused on the language respondents used to describe civilians. Stereotypical rhetoric and perceptions of worthy versus unworthy victimhood became prominent themes for analysis.

Findings

This chapter considers how officer perceptions of victims and offenders influence their responses to domestic violence cases in the field. I find that most respondents draw on gender, sexual orientation, and/or racialized stereotypes and reinforce the presumption of a worthy victim as someone who is female, heterosexual, and white. In some cases, these stereotypes directly influence officer interactions with civilians and the resources that officers offer. In line with conflict theory and Lipsky's (2010) theory of street-level bureaucracy, this suggests that differential officer responses are, in part, a result of officers' own biases and adherence to stereotypes about certain types of people. The following sections provide qualitative descriptions related to these themes.

Gender: Emasculation, Fragility, and Dangerousness

Consistent with social constructionism and the literature on worthy victimhood, respondents reiterated several gendered stereotypes regarding DV victims and offenders including (1) linking heterosexual male DV victims with emasculation, (2) depicting women victims as more emotionally fragile, (3) suggesting heterosexual men and victimhood are incongruent, and (4) presenting alleged male suspects as more dangerous than female suspects.

While historically DV victims have been predominantly female, Caleb, a Hispanic detective with 17 years of experience, noted, "I don't think that very many people know that probably half of your victims are men in domestic violence." Even still, male victimization is vastly underreported, Caleb continued, as "probably 90% of those men don't report that they're victims…because it's taboo for a man to report being a victim of domestic violence." This perception is consistent with past research which finds men are more reluctant to report victimization because it challenges their masculine identity (Weiss 2010). Describing potentially emasculating experiences may result in "discomfort or embarrassment from revealing situations that contradict the accepted and gendered definitions" of certain crimes (Weiss 2010: 289). Thus, Mateo, a Hispanic detective with 16 years of experience, proposed underreporting might occur because "the man is too macho to call the police when the woman beats him." This suggestion speaks to heterosexual experiences of violence, which is how most respondents framed their understandings of victims and offenders. Unless otherwise stated, officers were referring to heterosexual couples.

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Although officers acknowledged violence against men as becoming more common, thereby challenging the conception of victims as solely female, they also reinforced gendered expectations of masculinity by associating the victim's reluctance to report and press charges with their manhood. For instance, Evelyn, a White detective with 20 years of experience, stated, male victims "don't want to report that they just got beat up by a woman" and when they do report, "They may take it as far as just reporting it but that's as far as it will go. They won't take it to court. They'll want it on paper but that's it." In other words, male victims wanted a paper trail that documented the incident but did not want to press charges and take their abuser to court. Mark confirmed,

> Most of the guys don't want to continue [with pressing charges]. They will call and make the reports. I notice compared to women who [want] help and seek shelter, none of the guys seek shelter at all…They're like, no, I don't want to…. because they're guys and it's their machismo. And they want to say, no, I can deal with it. I'm a guy, I'm going to deal with it, I don't want help.

The notion that men do not want to press charges may be a face-saving (Goffman 1955, 1959) coping mechanism that male victims use to avoid being publicly emasculated if they took the case to trial. This is plausible, as Mark links their hesitancy to seek legal help with their masculinity/machismo. This is strikingly different than the explanations officers gave for female victims not pressing charges. While male victims were believed not to press charges because of fears of emasculation, respondents suggested that female victims did not press charges because they were in love, in a codependent situation, felt that they could change the abuser, were not ready to leave the relationship, feared what the abuser might do if they pressed charges, did not want their children to lose their father, or relied on their abuser for financial support.

Judith, a White detective with 14 years of experience, succinctly described the difference in prosecution between male and female victims: female victims do not prosecute "because someone needs to go to work and bring home paychecks" whereas a male victim does not prosecute because "he doesn't mind drama…that's not a big deal to him. And maybe there's a macho thing." Such perceptions are consistent with the notion of worthy victimhood and images of women as passive, weak, and in need of protection; that is, the ideal crime victim (Heber 2017). These stereotypical images contrast with masculine ideals which require men to show no weakness or vulnerability (Heber 2017; Javaid 2015). That is, to be "macho" and deal with "drama" without involving the police. These stereotypes are particularly salient among men of color, who often adopt a "cool pose" to maintain their masculinity (Majors and Billson 1993). Moreover, Judith's comment reflects outdated heterosexual gender roles that depict males as breadwinners and females as housewives. This fails to account for the earning power of female civilians and the changing gender dynamics within heterosexual relationships.

Stereotypes of women as fragile and men as strong also guided officers' interactions with civilians. For example, Miguel, a Hispanic officer with 11 years of experience, provided some insight as to how interactions differ depending on the civilian's gender. He stated, when interacting with a female victim,

> I usually go into the conversation very softly. Not aggressively, you know? Because, as police, we're already seen as aggressive…So, you really have to watch your demeanor, your body language, your facial expressions…You're being more careful, whereas with a guy, you're like, look, this is the way it is. Which is kind of biased, in itself because males can be [victims].

Although Miguel recognized his own biases, his interactions with civilians were clearly informed by gender stereotypes. Females, assumed to be more emotionally fragile, must be approached "softly," "not aggressively," whereas males can be approached with less caution. Males can be told how it is, without sugar-coating the exchange.

This presumed frailty was not consistent for all women, however. Although an exception, Cecilia, a Hispanic detective with 15 years of experience, noted racialized differences between women and commented on "strong Black women" who, in her opinion, are "more likely to hit back." She continued by differentiating between Mexican women who are "submissive" and Salvadorian women where, if she responds to a DV call, "it's usually the guy that got hit." For Cecilia, not all women fit the stereotype of being passive, weak, and in need of protection. Often, these stereotypes only apply to white women who are depicted as the quintessential battered woman (Morrison 2005). Alternatively, Cecilia suggests, women of color are more likely to retaliate or even initiate the violence. Depicting women of color in this way serves to reinforce hegemonic discourses of victimhood surrounding gender and race, such that only white women are considered worthy of police assistance because of their presumed passivity. A woman who hits back or initiates violence violates gender norms; thus, is not really a victim and is not worthy of legal intervention. This perception may lead to women of color not being taken seriously as victims and may discourage them from seeking legal help when they experience violence.

The rhetoric surrounding victimhood as being tied to a female body led some respondents to argue that men cannot be victims in heterosexual relationships. This

presumption was demonstrated by Caleb who stated, "I'm going to be honest with you…If I get a radio call and I have a man who's 6'3", and he says, 'I want her to go to jail. She slapped me.' And I look at her and she's 5'1", 90 pounds, I'm going to go, 'Are you kidding me?' You know what I mean?" Here, Caleb reinforces masculine and size stereotypes by suggesting the man in this case is not a true victim. Gendered ideas of bodies present male bodies, particularly those that are large, as dangerous and as "naturally" stronger than female bodies (Hollander 2001). Thus, the respondent also implies that, by virtue of his physical size, the man in this case should be able to protect himself from violence. Although Caleb was referring to a hypothetical case, the implication was that he would be hesitant to make an arrest in this scenario.

The stereotype that men cannot be victims in a heterosexual relationship was also reinforced by other actors in the criminal justice system. For instance, domestic violence victim advocates are specially trained to assist victims of domestic violence and provide them with resources and information; however, in one case, Ann, a Black detective with 25 years of experience, recalled,

> I had to put one of the [DV] advocates in check … Normally, when we work together, she'd be all over the victim, giving her these resources and everything … and I know how long their intake usually takes… I doubt if she was like five minutes with this guy. Just shoving the papers, just, "Here's your information."

According to Ann, the advocate's interaction with the male victim was vastly different than her interactions with female victims. The response of the victim advocate reinforced the perception of males as "unworthy" victims, which translated into less time spent offering resources to the male victim. Similarly, in discussing male victims of female perpetrators, David stated, "it seems as though juries, a lot of times, are not as open to the

thought of a male victim." Here, David perceived the criminal justice system to be biased against male DV victims. There is some evidence of this gendered bias among jurors in sexual assault cases, where male victims are perceived to be more culpable in their own victimization and are taken less seriously than female victims (Quas, Bottoms, Haegerich, and Nysse-Carris 2002; see also Davies and Rogers 2006 for a review). There is a dearth of research specific to jury perceptions regarding domestic violence cases, although it can be speculated that as a similarly gendered crime, male victims of DV may be perceived less favorably than female DV victims. Thus, the persistence of gender stereotypes within the criminal justice system may influence the resources the victim receives as well as the potential conviction of the perpetrator.

Gender stereotypes surrounding worthy victimhood also became apparent during my fieldwork through differential treatment of male versus female suspects. For much of my fieldwork, I rode along with a male/female officer duo who were specially trained in handling domestic violence calls. In one case, we responded to a call of a man assaulting a woman in a liquor store parking lot. When we arrived, the involved parties were sitting inside an older SUV. The male officer, Edwin, asked the alleged male suspect to exit the vehicle, and then Edwin walked him a few yards away from the scene, handcuffed him, and interviewed him about what had happened. From my vantage point (which was in the back of a patrol car, about 15 feet from the civilians' vehicle), the suspect was cooperative with the officer. He followed instructions and appeared to be calm while speaking with Edwin. Karen, the female officer, approached the vehicle and interviewed the alleged female victim. The female civilian also appeared calm, if not a little confused

or perhaps embarrassed. After interviewing both parties, it was revealed they were having sex with each other and the alleged suspect was on top of the alleged victim, which made it appear to passersby's that she was being victimized. The alleged suspect was unhandcuffed and both parties left the location together.

Comparatively, we also responded to a case involving a female suspect and a male victim. The victim had called the police after an altercation with his girlfriend. When we arrived, he was standing in the front yard holding a bag of frozen peas to his head where he said the perpetrator had repeatedly hit him. Again, Edwin responded to the male party and Karen responded to the female party. It was common for Edwin and Karen to gender-match with civilians (see Chapter 4 for a more thorough discussion). What was interesting in this case was the way in which the suspect was treated in comparison to male suspects in other cases. The female suspect was sitting on the front porch railing when we arrived. When Karen approached her, the suspect admitted to the crime and said she knew she was going to jail and she "never should have hit him" (Fieldnotes, November 2016). Yet, during the investigation, the suspect remained seated on the porch and was not handcuffed or taken into custody until a backup unit of officers came to transport her to the police station. When the responding officers and I were discussing the case later that night, Karen said the female suspect was cooperative and implied that was the reason she was not immediately handcuffed.

In comparing these two cases, it became clear that the urgency with which alleged suspects were handcuffed was informed by the suspect's gender. With the male suspect in the liquor store parking lot, there was no evidence of violence and he was still

immediately handcuffed and removed from the scene. Conversely, the female suspect who verbally admitted to her use of violence was not handcuffed until approximately 15 minutes later and was not removed from the scene until an additional patrol unit came to transport her to the station. In addition, both the male suspect in the first case and the female suspect in the second case were arguably "cooperative," but this was only an advantage for the female, who was treated more leniently. These observations "suggest male suspects are assumed to be violent and are handled with more caution than female suspects" (Admire, Fieldnotes, November 2016). The minimal legal response to the female suspect indicates she was not a threat whereas the alleged male suspect in the other case was assumed to be dangerous and in need of restraint.

Note that the above-mentioned stereotypes are grounded in empirical research. The literature consistently demonstrates that females are at a greater risk for DV, including serious victimization such as homicide, and that men are much more likely to be perpetrators of violence than women (Buzawa, Buzawa, Stark 2017; Browne 1987; Hattery 2009). It is reasonable, then, that officers' approach male suspects with more caution than female suspects, as men are more likely to perpetrate. Nevertheless, these perceptions are problematic as they result in differential treatment of male versus female suspects. Male suspects are presumed to be dangerous and violent no matter the circumstances. Yet, female suspects who adhere to dominant gender expectations of passivity (and "cooperativeness") experience more leniency within the criminal justice system in comparison to female suspects who are perceived to be gender deviants (Chesney-Lind 1978; Grabe, Trager, Lear, and Rauch 2006; Mulligan 2014). This is in

line with the selected chivalry hypothesis (Bernstein, Cardasia, and Ross 1979) and privileges women suspects within the criminal justice system. Moreover, reinforcing gendered stereotypes of male perpetrators and female victims downplays the victimization of male victims which, in turn, can result in differential resources being provided to civilians based on their gender.

Still, there were some officers who refuted gender stereotypes and posited that gender is unrelated to being a victim or an offender. These officers challenged the notion that being a woman is a requirement of being a worthy victim. Diego, a Hispanic officer with 10 years of experience, described a case where he and his partner experienced severe ridicule by various social actors based on gendered assumptions of victimhood. In this case, a male civilian broke his female partner's nose while they were driving. During their investigation, Diego and his partner discovered that the male civilian broke her nose because she held down the gas pedal in their car and said, "we are going to die tonight." While initially it looked like there was a male perpetrator, it turned out that there was a female perpetrator. Diego described having to "completely remove the gender and physical ability from the entire scenario, which [was] very difficult" and concluded the female was the primary aggressor as she attempted to kill herself and her partner. The male civilian struck her so she would take her foot off the gas pedal. Even still, Diego and his partner were "ridiculed… because we had to take her to jail, we had to process her through the doctors and all that. And every single step of the way, they [medical personnel and other officers] were looking at us like 'You're stupid.'" Diego elaborated and said onlookers assumed they arrested the wrong party; that the female was really the

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victim of abuse and was mistakenly arrested. These gendered assumptions of females as victims and males as perpetrators were so strong Diego was extensively criticized and his judgement questioned. This made it difficult for him and his partner to accomplish their job: arrest and prosecute the primary aggressor and provide resources to the victim. More broadly, if officers are extensively criticized when they arrest a female suspect, this may create greater pressure to arrest men regardless of if it is warranted.

Diego was not the only officer who challenged gender stereotypes of victims and offenders. Antone, a Black officer with 8 years of experience, challenged the assumption that men cannot be victims and stated, "just because the man is a big huge dude doesn't mean that he can't get smacked around by his girlfriend or something like that." This directly contradicts Caleb's earlier comment about physical size as a deterrent to abuse and challenges gendered ideals of male bodies as being large and dangerous (Hollander 2001). Jennifer, a Hispanic detective with 12 years of experience, also recognized the outdated gender stereotypes regarding victimhood and commented on the incongruity in society's reaction between when a woman hits a man and when a man hits a woman. She stated, society always says, "'A man should never touch a woman like that.' Well, a woman should never touch a man like that…It's trivialized when a man gets hit [but not] when a woman does." In her opinion, violence should be taken seriously, despite the gender of the victim and/or perpetrator.

Three female officers discussed interactions where the civilians presumed the female officer would take the side of the female civilian solely based on gender. Ann said: "Nothing irks me more than when I roll up on a domestic violence scene and the

female automatically feels like 'Oh, you got to believe me because I'm the female.' Oh, no. I'm an equal opportunity cop. I will hook you up [arrest you] just as quick as I hook up a man." Sofia and Camila, both detectives, agreed and noted they often hear civilians say, "Oh, well, you're going to take her side because you're a woman." The implication is that a civilian who shares an officer's gender is at an advantage in the situation and may be less likely to get arrested. Although there is some evidence that female officers are perceived to better respond to female victims (as discussed in Chapter 4), the detectives in this case recalled having to remind civilians they were not there to take sides based on gender, but rather, to ensure justice was served. Diego expanded on this notion and said it is not officers who reinforce gender stereotypes, but civilians. He stated,

> We try to make that point that it doesn't matter whether you're a male or a female. If you're a victim of domestic violence, then you're a victim. It shouldn't matter whether you're male or female…but still, men feel that way, because you know, as men, we're supposed to be tough, and…take care of problems on our own and that sort of thing.

Diego stated that a victimhood is unrelated to gender. However, gender expectations may discourage certain groups of victims, in this case, males, from reporting. The responses of these officers suggest not all respondents adhered to stereotypical gender assumptions regarding worthy victimhood. This is important because police officers shape social perceptions of victimhood. By recognizing victims outside of the white, heterosexual, female model, officers can disrupt perceptions of worthy victimhood and create a space where victims are not limited to a specific social identity.

Sexual Orientation: Mutual Violence and the Deemphasis of Gender

While close to half (N = 12) of officers in this study had never personally responded to a same-sex DV case, most recognized that violence within this community is a significant problem. Still, discussions of same-sex violence generally reflected stereotypes based on sexual orientation including the notion that that gay violence is more severe than lesbian or heterosexual violence, and that same-sex violence is mutual. These stereotypes reinforce the notion that worthy victimhood is a heterosexual construction.

Of the officers who had personally responded to a same-sex DV case, seven solely discussed violence by a male perpetrator. One male officer posited that being "out" makes a gay victim more likely to report the violence to the police. Three officers perceived male same-sex violence to be more common than female same-sex violence and three others believe it to be more severe. The perceived difference in severity of violence among gay couples was illustrated by Anthony, a Hispanic patrol officer with 10 years of experience. He recalled working in a community with a large LGBT community during his probation and stated,

> I still remember…I mean, just some of the worst ass-kickings I've ever
> seen…One of the big things up there was…a lot of these guys work out. A lot of
> the male same-sex couples, yeah, they work out. Big, big guys. Really good
> shape. And they get going, and they just beat the crap out of each other. I mean
> bad…A lot of the physicality of it seemed to be just astronomically more than
> what I've seen, you know, in some of the other cases.

Anthony emphasized physical strength and exercise as the main culprits behind the extreme violence he witnessed between two men. This reflects the stereotypical assumption that gay men are more concerned with their physical appearance than

heterosexual men (Grogan, Conner, and Smithson 2006) and therefore, are more likely to exercise. Gary, a White detective with 22 years of experience, confirmed the stereotype of gay men as more physically fit and stated, "Sometimes [same-sex violence cases are] particularly brutal, because you have two people the same gender, similar strength, and they just kick the crap out of each other." Again, the emphasis on male bodies as large and strong is important. If two people are the same size and strength, they are more likely to inflict serious injuries upon one another. Gary goes on to say, with gay violence, "you're not hitting a girl, you know. You're hitting another guy. So, it's full-on…brawls." The difference between heterosexual and same-sex violence, then, is also an issue of restraint. If you have a male perpetrator and female victim, the perpetrator may use less force, whereas when a male hits another male, they may use full force. This implies that male bodies are not only inherently violent, but also that they are able to control the degree of force they use depending on the gender of their victim.

Gary's comment also implies that the victim will always fight back and with equal force. Underlying these perceptions is the notion that "common couple violence" (Johnson 1995, 2006) or mutual battering (Renzetti 1992) is characteristic of same-sex relationships (Lilith 2001; Island and Letellier 1991). That is, both partners are assumed to equally perpetrate violence against one another, making each partner simultaneously a perpetrator and a victim (Renzetti 1992). In addition, both parties are equally responsible and accountable for the abuse (Pattavina et al. 2007) because it is a "fair fight between equals" (Island and Letellier 1991). If it is a "fair fight," it is not as serious or dangerous as heterosexual violence. Moreover, if both parties are "equals," neither is assumed to

have more power over the other; thus, there is no "true" or worthy victim. Portraying same-sex violence in this way serves to trivialize and normalize violence within the LGBT community. It also reinforces the stereotype of worthy victimhood as being tied to heterosexuality.

Although respondents did not indicate that their responses in these cases differed than if they were handling a heterosexual DV case, past work suggests that officers who label same-sex violence as mutual are more likely to make a dual arrest - where both parties involved in a domestic violence incident are arrested (Letellier 1994; Lilith 2001). Therefore, officers adhering to stereotypes regarding same-sex victims can have far reaching consequences. At the extreme level, same-sex victims may be incarcerated, despite their victimhood. This is plausible, as LGBTQ people are disproportionately incarcerated compared to heterosexual people in general (Meyer et al. 2017). At an inter-personal level, they may be treated differently than heterosexual victims or receive less legal resources from responding officers.

In contrast, three officers explicitly stated that they approached their investigation of same-sex violence the same way they would violence within a heterosexual relationship. This is consistent with past work which found no significant difference in how officers perceived heterosexual versus same-sex cases (Younglove, Kerr, and Vitello 2002). As evidence of how sexual orientation was irrelevant to officer responses, many respondents deemphasized gender altogether when discussing same-sex violence[4]. For instance, Phillip, a White officer with seven years of experience, noted that officers do

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[4] Respondents tended to conflate gender with sexual orientation.

not "usually use gender to determine" the primary aggressor in a same-sex DV case. He

elaborated,

> It's what they tell you happened. And then, are there visible injuries that are
> consistent with their story? So, just because it's two women or two men, if one of
> them's got a whole bunch of bruising or something around the neck like they were
> strangled, then you know the other one's going to be the dominant aggressor. So,
> it doesn't matter if… I mean, it could be a guy that was strangled…But the gender
> doesn't usually play into it.

Antone confirmed, "I always tell people that everyone gets the same kind of treatment,

we're going to do our interview and figure out who's the aggressor and who's the suspect

and who's the victim regardless of gender." For these officers, it is not the gender, and by

extension, the sexual orientation, of the civilians that determines the primary aggressor; it

is their investigation. It could also be that same-sex violence forces officers to go beyond

gender expectations during their investigation. That is, they have no other choice but to

determine the primary aggressor without being guided by gender stereotypes. Still,

relying on the investigation rather than stereotypes should be the rule, not the exception.

In addition to gender, officers sometimes set aside the physical evidence when

determining the primary aggressor in same-sex cases. Consequently, the emphasis again

goes to the investigation. In discussing the brutality of gay DV, Anthony stated,

> both of them will come out of it just beat down. So, I mean, you can't really use
> like the physical evidence aspect of it. You really have to rely on…testimony or
> witnesses or…talking to both parties. You know, figuring out really how the
> relationship works. So, it does seem to be a little bit more in depth.

Although Anthony described mutual violence, where both partners are "beat down," he

implied that he would not make a dual arrest. This departs from past work which suggests

that cases labeled as mutually violence often result in dual arrest (Straus 1999; 2005;

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2009). Rather, Anthony suggested that in some same-sex DV cases, without the ability to rely on gender or physical evidence, the investigation becomes increasingly important for determining which party will be arrested.

Still, a handful of detectives noted the difficulty of determining the primary aggressor in DV cases in general, regardless of the civilians' gender or sexual orientation. During a group interview, six detectives and I were discussing same-sex violence and how they determine the primary aggressor. As Ben, a Hispanic detective with 19 years of experience, stated, determining the primary aggressor is "equally as challenging when [it's] a man" or a woman. He went on,

> I mean you might see a woman with an injury and a man with scratches. And you might hear something to the effect of this: 'You know, she came at me. She was scratching and hitting me. I tried to pull away. I tried to leave. She wouldn't let me. She hit me with this. And, yeah, I hit her, deputy.' While she has a more pronounced injury because of his strength, he might have scratches all over his face, bruising as well.

Jennifer elaborated and stated, "Yeah, so the severity of the injury on one person doesn't necessarily dictate who the primary aggressor is. It could be the other person." Again, this suggests that relying solely on physical evidence is ineffective for determining the primary aggressor in a DV case. Preston, a Black detective with 12 years of experience, concluded, "It's all complex. Nothing that you get is what's at face value. You know what I mean?" Rather, officers should put aside all preconceived notions about what they think happened and instead, rely on their training, experience, and investigative skills. While this is a good approach in theory, it became clear through my interviews and fieldwork that some officers still consider the demographic characteristics of the civilians involved when responding to DV calls.

Disregarding gender during a same-sex violence investigation was not the protocol among all officers, however. Roberto, a Hispanic patrol officer with six years of experience, was an exception and stated that no matter the sexual orientation of those involved, everyone has gender roles that they adhere to. To Roberto, this makes it easier to determine the primary aggressor:

> The same thing that we see in a…male-female relationship, when it comes to same sex, it's the same thing. Because sometimes they have roles. They have roles. They say like, my husband, my wife, right. So, they have the same roles, and sometimes the same thing happens. And now you have to do the same way as you're doing a female-male investigation…As in a male-female relationship…male[s] tend to be the dominant aggressor. Research has shown that. It's the same way you have in the same-sex relationship. One of those in the relationship will be the aggressor because they fit a role. Say, male and male, you always have a male who acts as the role as a woman. He's the wife in the relationship. So, he's the passive one, passive person, versus the male in the relationship which tend to be that aggressor.

Roberto's comments reflect a heteronormative assumption regarding gender identity, gender roles, and the gender binary. This presumes that same-sex DV emulates heterosexual DV whereby victims perform more traditionally feminine gender roles, which makes them more vulnerable to being abused, and perpetrators perform traditionally masculine gender norms and may perpetrate violence as a result of playing an "alpha male" role (Messinger 2017). This also associates femininity with victimhood and masculinity with perpetration, a stereotype of worthy victimhood that officers often perpetuated in heterosexual DV relationships.

Race, Culture, and Immigration Status: Culture Blame and the Normalization of Violence

Some officers (N = 5) recognized that DV happens across all racial groups, challenging stereotypes of victims and offenders as predominantly people of color. However, more than half of the respondents reinforced the stereotypical notion that violence within families of color is "normal" by pointing to differences in culture as an explanation for the higher frequency of violence in these communities. This reinforced the stereotype of victimhood as linked to race, with white victims being constructed as worthy and victims of color being depicted as unworthy.

Note that respondents emphasized "culture" rather than race. Within the literature, the terms *race, ethnicity, culture,* and sometimes *immigration status* are often "used interchangeably to describe the experiences of non-White groups and group members" (Kasturirangan et al. 2004: 320). It is perhaps not surprising, then, that many of the respondents in this study also conflated race, culture, and immigrant status. Alternatively, officers may have used "culture" as a proxy for racial differences because they were conscientious about saying overtly racist things. As discussed in Chapter 4, using colorblind language, which seeks to minimize or deny racial differences, is symptomatic of living in a "colorblind" society like the U.S. (Bonilla-Silva 2018) where simply *acknowledging* the existence of race can be equated with *being* racist (Glazier 2003; Ullucci 2006). Relatedly, the reluctance of respondents to discuss race could reflect the social desirability bias whereby respondents give socially desirable answers to questions about sensitive topics (such as racism), rather than reveal their true feelings (Heerwig and

McCabe 2009). Whatever the case may be, when asked about race, many officers would discuss culture or immigration status instead.

The presumption of normalized violence within certain groups cut across countries of origin with officers identifying immigrants from Asian, Middle Eastern, and Latino/Hispanic countries as more tolerant of violence. As Ben stated, "Some of these people, it's socially acceptable within their culture." Adam, a multiracial detective with 9 years of experience, expands on this thought and stated, we would have "people newly from Asia that we would run into domestic violence and they wouldn't necessarily understand what the issue was." Similarly, in describing a case involving a Middle Eastern couple, Miguel posited,

> I guess in some cultures, the female is not seen as an equal. So, it creates a big problem. Because all of a sudden here [in the U.S.], everybody has rights. And then you try to explain that to the male, and they're completely in shock they're going to jail. You know, 'why am I going to jail?' So, that's what we ran into the last call we did. The male was laughing, thinking it was just a joke, and she's outside in fear for her life.

Likewise, Anthony understood DV to be "not acceptable, but culturally maybe more tolerated…especially [among] the newer immigrant families and communities, it's 'Oh, well, that's how we did it in Mexico,' 'That's how we did it in El Salvador.' It's a normal thing down there." In these examples, officer presume that violence is normal in other countries to explain why new immigrants to the U.S. may be surprised when their violent actions are met with legal action. These comments are in line with the "home-host dichotomy" within the literature on multiculturalism. This dichotomy characterizes "host" countries (i.e., Western liberal democracies) as more gender equitable relative to "home" (i.e., countries of origin) countries (Dasgupta 2007; Menjívar and Salcido 2002).

In other words, cultural values surrounding gender roles in immigrant communities are presented as less egalitarian than the mainstream cultural values in Western liberal democracies at large; thus, violence within certain immigrant communities was understood to reflect a greater tolerance of violence (towards women, in particular). Simply put, violence within immigrant communities can be explained by their more pro-violence culture.

Culture blame arguments also demonstrate what Bonilla-Silva (2018) terms cultural racism, whereby "culture" is blamed for racial differences rather than structural inequalities. Bonilla-Silva (2018) likens this to the "culture of poverty" arguments that were popular in the 1960s that blame the victim for their structural economic disadvantage. Similarly, cultural racism is used to explain and justify racial differences and ultimately reinforce racial inequality and the racial hierarchy (Bonilla-Silva 2018). Regarding violence, respondents utilized culturally racist arguments to present certain groups of people as more tolerant of DV. This tolerance served to reinforce the stereotype of violence within families of color as "normal" (Buzawa and Buzawa 2003) while simultaneously suggesting that Whites do not engage in DV.

Culture blame arguments extended beyond interactions between recent immigrants and "other" (read: not U.S.) cultures. Officers also reinforced racialized stereotypes to explain violence within certain groups. Respondents most often discussed Hispanic culture, which is likely a reflection of the demographics of where they work (48% Hispanic/Latino; U.S. Census Bureau 2015), and commonly argued violence is more common as well as more tolerated in Hispanic culture. In describing rates of

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reporting, several respondents identified Hispanics as have the highest reporting rates.

Contradictorily, officers simultaneously described Hispanic families as being the most

tolerant of violence, therefore less likely to report domestic violence. Cecilia associated

the tolerance of violence within Hispanic families to reflect the Catholic emphasis on

keeping the family together:

> The Catholic religion doesn't cover domestic violence. It just says you can only get divorced if there's infidelity…In Mexico, you could be sexually abusing your own children and the message is, "Stay together." You can be murdered. The message is, "Stay together." Breaking up the family is frowned upon…So, these women [victims] will put up with it and put up with it.

Similarly, in discussing the tolerance of violence within Hispanic families and the

emphasis on keeping the family together no matter what, Roberto stated, "Hispanic

culture…It's something that the man is basically brought up with the idea of the

machismo mentality that…if I say jump, you jump ten feet…As for a woman, don't

question me or I'll beat the crap out of you, and no one is going to say anything." Here,

the indication is that violence within Hispanic families is normal because of essentialist

gender expectations that imply a passive female and an overtly aggressive male (for a

rebuttal to this stereotype see Mirandé 1979). This suggests that men of color are more

violent than White men and that women of color are more likely than White women to

simply "put up with it," not "say anything," and, by extension, not report instances of

violence. So, on one hand, people within the Hispanic community are presumed to report

instances of violence more frequently than people within other racial groups, but are also

discouraged from reporting as Anthony notes, for "cultural reasons." These contradictory

assertions contribute to the exclusion of people of color as worthy victims. Violence

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within families of color is allegedly commonplace; thus, legal interventions are not necessary or effective (Buzawa and Buzawa 2003) and victims are not worthy of police assistance.

A few officers (N = 3) also pointed to Asian families as more tolerant of violence because of issues surrounding shame. In discussing why Asian women were less likely to report instances of violence Evelyn stated:

> It appears that the man often exerts a lot of control over the family so, again, domestic violence - control. He usually controls the finances. He controls the household. He controls the movement. He controls this; he controls that. Usually, the woman doesn't - she's not an equal. She's not seen as an equal. Then, if they do report it, now she's brought shame on the family.

There are several racist implications here. First, Evelyn suggested that Asian households adhere to more strict gender expectations than others insofar as the male has control over everything and is superior to the female. Relatedly, male/female relations in Asian households are less gender egalitarian than other households. This reflects cultural essentialist notions that construct "American" (read: White) households as more egalitarian than Asian households (Pyke 2000; Pyke and Johnson 2003). Finally, Asian women are presumed to be informally discouraged from reporting violence because exposing violence would bring shame upon the family. This final notion is not unfounded as past research on Asian DV victims' points to honor and shame as key barriers to reporting violence (Gill 2004). Still, blaming Asian culture for having values that "tolerate" violence is indicative of cultural racism, which ultimately serves to maintain White privilege.

Few respondents discussed the African-American community or their perceptions of violence within Black families. Two exceptions were Cecilia, who commented on "strong Black women" and their willingness to "hit back," and Anthony who proposed that social class could explain the difference in prominence of DV between Hispanics and African-Americans:

> As far as Black populations are concerned, in my experience, it seems to be the lower economic strata…And that's not to say that…working-class families don't have those issues. But… for some reason, it seems to me that…within the black community, the domestic violence issues are definitely the lower economic strata than, say, you know, working mom/working dad kind of a thing. Whereas on the Hispanic side, and I don't know if it's a cultural thing or, you know… I don't know. But it seems just across the board… it seems more evenly spread, I guess, with the Hispanic population.

Several points can be taken away from this excerpt. First, DV is believed to be an economic issue within the Black community. This homogenizes Black, low income communities and reinforces the idea that violence is confined to poor families of color. It also disregards how violence can also occur within wealthy families who may have other resources for dealing with violence before contacting the police for assistance. Second, the notion that economic disadvantage has more significance than race among African Americans is a heavily critiqued argument that was introduced by Wilson in 1980. Anthony reiterated this idea by suggesting that DV within the Black community is more prominent amongst those in the lower economic strata, thereby emphasizing socioeconomic status over race. This colorblind argument (Bonilla-Silva 2018) fails to account for the ways race and class intersect and the structural disadvantages people of color face in the economic marketplace. Third, class is argued to be a significant factor in

the Black community, but in the Hispanic community the emphasis is on culture. This extends previous discussion of violence within the Hispanic community as normalized. Interestingly, whereas socioeconomic status is presented as trumping race when discussing violence among the Black community, the opposite appears to be true for the Hispanic community. Rather, culture is assumed to trump class; thus, violence is presumed to occur within any income bracket among Hispanic families and is "more evenly spread."

Although respondents rarely discussed DV within the Black community, racialized stereotypes of African-Americans were pervasive. During one ride-along, Karen, a Hispanic officer with 8 years of experience, described a group of men she saw on her way into work. She recalled,

> when she was driving to work, she saw four African-American men, in jeans and hoodies, even though it was 90-something degrees today…and mentioned that she stopped to take pictures of them just in case something had shown up about a robbery or another crime that occurred with subjects that resembled the ones she saw (Admire, Fieldnotes, June 18, 2016).

This was discussed on the day that I first met Karen; so, I did not probe her about her behaviors or perceptions, but she was clearly reinforcing stereotypes surrounding Black men as criminals. Merely seeing four Black men walking down the street motivated her to stop her car and take photos. This is indicative of the intensified policing and surveillance young men of color experience when engaging in non-criminal, even mundane behavior (Stuart and Benezra 2018). Police engage in the hyper-surveillance of certain groups of people based on stereotypes of criminality. These stereotypes are gendered and racialized, and in this case, reinforced the image of Black men as criminals.

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In addition, if you are a criminal, by extension, you are not a victim. Thus, Karen was also indirectly reinforcing the notion that Black men are not worthy victims.

Discussion and Conclusion

This chapter considered how police officers perpetuate or undermine broader inequalities through their policing of crime. More specifically, I focused on the extent to which officer perceptions and responses challenged and/or reproduced stereotypes among domestic violence victims and offenders based on gender, sexual orientation, and/or race. My findings contribute to the literature in several ways. Consistent with the social constructionism literature, I found that officer perceptions of victims were highly gendered and interactions with civilians were informed by gender stereotypes of "worthy victimhood."

In general, officers presented female victims as weak, in need of protection, and as blinded by love, thereby in need of law enforcement protection and intervention. This is consistent with rhetoric surrounding women as the ideal crime victim (Heber 2017). This contrasted with images of male civilians who were described as "macho" and able to physically defend themselves. These perceptions led some officers to conclude that large bodied men could not be true victims of crime and that female perpetrators were actually victims who were mistakenly arrested. This echoes sexist and heteronormative societal assumptions regarding gender, victimhood, and domestic violence. For instance, past work demonstrates that laypersons are more concerned with domestic violence committed by men against women than with women against men and consider abuse to be more serious when there is a male perpetrator and female victim (Poorman, Seelau and

Seelau 2002; Seelau and Seelau 2005). These perceptions reinforce gendered stereotypes of women as weak and in need of legal protection and men as more threatening and capable of violence (Seelau and Seelau 2005).

Nevertheless, these perceptions are not unfounded. The feminist literature posits that systemic sexism within our society oppresses women and makes them more vulnerable to violence. Data supports this claim. Compared to men, women are significantly more likely to be seriously injured (Black et al. 2011) or killed (Fox and Zawitz 2007) by an intimate partner. Women are also more likely to sustain an injury, require medical treatment, or require hospitalization as a result of these injuries (Tjaden and Thoennes 2000). Thus, perceptions of females as victims and males as perpetrators are consistent with the data. This is not to downplay the reality that there are male victims of DV who are often less likely to be seen as victims or believed. Perhaps officers see females as more in need of law enforcement protection because intimate partners disproportionately victimize females. In any case, it is important to consider how larger systemic issues, including sexism, influence ideas and perceptions.

Moreover, while some officers clearly adhered to gendered assumptions of females as victims and males as perpetrators, this was not true for all officers. A handful of officers directly challenged gendered assumptions regarding worthy victimhood. These officers noted the necessity of removing gender expectations when interacting with civilians, pointed toward societal biases against male victims of domestic violence, and posited that not all women are weak and passive; in some cases, women are the dominant aggressors. This suggests that officer perceptions and responses in the field are not

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always influenced by the demographic characteristics of victims and perpetrators. This is important because police officers, as cultural agents, shape social perceptions of who a victim is and what they look like. Recognizing victims outside of the white, heterosexual, female model can work toward redefining social perceptions of worthy victimhood.

Interestingly, gender stereotypes were deemphasized by officers when discussing same-sex violence, with one exception. Most officers with experience responding to same-sex DV discussed the inability to rely on gender and sometimes physical evidence when determining the primary aggressor. Rather, they emphasized their investigative skills. This is in line with past work (Pattavina et al. 2007; Younglove, Kerr, and Vitello 2002) which found minor or no differences in police responses to heterosexual and same-sex domestic violence cases. Still, while deemphasizing gender sounds good in theory, it might be more appropriate for officers to consider gender during their investigation but not in stereotypical ways. In addition, it would be useful for them to understand gender structure and its effects on violence. This lack of understanding is an issue of insufficient training (addressed in Chapter 3).

Despite deemphasizing gender when responding to same-sex cases, officers reiterated the connection between worthy victimhood and heterosexuality by reinforcing the stereotype of same-sex violence as mutual. Respondents described both partners (exclusively males), comparable in size and strength, as physically abusing one another. This perception is problematic for many reasons. First, there is evidence that the dynamics of same-sex domestic violence are comparable to heterosexual violence, such that violence is more characteristic of "intimate terrorism" (Johnson 1995, 2006) than

common couple violence (Renzetti 1992; Merrill & Wolfe 2000). Intimate terrorism is what most people think of when they hear "domestic violence" – one partner aiming to exert control over the other partner. This type of violence is not mutual in nature. Thus, there is evidence to refute the myth of mutual battering among same-sex couples. Second, depicting same-sex couples as mutually combative further pathologizes a community that is already cast as deviant due to their sexual identity. This furthers the wedge between the heterosexual and LGBT communities and presents them as fundamentally different. Finally, there is some evidence that dual arrests are more common among cases involving perceived mutual violence (Letellier 1994; Lilith 2001; Straus 1999; 2005; 2009). In other words, when a primary aggressor cannot be easily determined, both parties involved in a DV incident may be arrested. Dual arrests are problematic for many reasons (see Hirschel and Buzawa 2002), including the potential incarceration of domestic violence victims.

Regarding race, more than half of officers reinforced the stereotypical notion that violence within families of color is "normal" by pointing to differences in cultural understandings regarding violence as an explanation for the higher frequency of violence in these communities. This is consistent with past work which finds that violence within communities of color is often conceptualized as transcending individual behavior and instead reflecting group culture (Sokoloff and Dupont 2005). Literature on the home/host dichotomy (Dasgupta 2007; Menjívar and Salcido 2002) and cultural racism (Bonilla-Silva 2018) speak to this perception. Respondents most often discussed Hispanic culture, which is likely a reflection of the demographics of where they work, and argued violence

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is more tolerated in Hispanic culture. Perhaps counterintuitively, this tolerance does not necessarily mean fewer instances of reporting, as Hispanics were also cited as having the highest rates of reporting in comparison to other racial groups.

A few officers also pointed to Asian families as more tolerant of violence. Some believed this reflected traditional gender norms perceived to be characteristic of Asian families whereby the male has full control and the female is submissive. These racialized beliefs present Asian men as hypermasculine: aggressive and controlling; and Asian women as hyperfeminine: passive, weak, and excessively submissive (Pyke and Johnson 2003). Others believed violence was more tolerated because Asian victims are informally discouraged from reporting violence for fear of bringing shame upon the family. The latter is in line with Gill's (2004) work on Asian DV victims. There was also some indication that male/female relations in Asian households are less gender egalitarian than other households; possibly contributing to an environment that is more tolerant of violence. This reflects cultural essentialist notions that construct "American" (read: White) households as more egalitarian than Asian households, despite the reality of gender inequality across racial lines (Pyke 2000; Pyke and Johnson 2003).

This culture blame approach extended to immigrant communities, which is consistent with prior work (Dasgupta 2007; Menjívar and Salcido 2002). Officers identified immigrants from Asian, Middle Eastern, and Latino/Hispanic countries as more tolerant of violence, positing that violence can be explained by their more pro-violence "culture." Immigrant cultures are defined by mainstream culture as subservient, backwards, or accepting of male domination, which is contrasted with the more gender

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egalitarian U.S. culture (Dasgupta 2007). This approach to violence (Dasgupta 2007; Menjívar and Salcido 2002) points to "other" cultures as more accepting of violence against women and, thus, violence is depicted as normalized within certain communities. In addition, portraying immigrant families as inherently violent ignores the violence that is present in U.S. culture (Javed and Gerrard 2006). The tendency for Whites to construct Whiteness and violence within the U.S. as invisible is an example of what Lipsitz (1998) refers to as a "possessive investment in Whiteness," which allows Whites to maintain power and privilege over people of color.

Surprisingly, violence within the Black community was only discussed by a couple of respondents. One officer drew on racialized femininity and portrayed Black women as aggressive and domineering (Collins 2005; Pyke and Johnson 2003), reinforcing the stereotype of the "strong Black woman." Another officer conflated race and socioeconomic status (SES), claiming that violence in the Black community is associated with lower SES. This claim is consistent, in part, with the literature which suggests that violence within the Black community may be better explained by SES rather than race, as there is a strong association between low income and DV (Miller-Perrin, Perrin, and Renzetti 2018). Still, this colorblind argument (Bonilla-Silva 2018) fails to account for the ways race and class intersect as well as the ways people of color are structurally disadvantaged within the economic marketplace.

In sum, this research suggests that officers play a role in perpetuating inequalities through interactions with victims/offenders. In addition to bureaucratic challenges (Chapter 3) and officer demographic characteristics (Chapter 4), officers were influenced

by stereotypes regarding victims and offenders. These stereotypes often reflect the dominant understandings of our society – racist, sexist, heteronormative assumptions. However, in their role as cultural agents, police actively generate and regenerate meanings about certain types of people and types of conduct. Police behavior influences broader understandings of who a "worthy victim" is and can shape how those who do not fit this ideal are perceived and treated. Therefore, their adherence to these assumptions can be particularly problematic. The result may be that certain groups of people (such as men, people from the LGBTQ community, minorities, and immigrants) are taken less seriously when reporting domestic violence or are offered fewer services, as was the case with the DV advocate who brushed off a male victim. In this way, police biases are related to the differential allocation of resources, in the form of criminal justice system outcomes, as predicted by Lipsky (2010).

CHAPTER 6

CONCLUSIONS, POLICY IMPLICATIONS, AND FUTURE RESEARCH

This dissertation added to the theoretical literature on police discretion by addressing some unresolved questions about the impact of extra-legal factors on police officer discretion including, (1) what is the influence of organizational factors on officer discretion, (2) and, to what extent does the positionality of various social actors (victims, offenders, and police officers) have an impact on police officer's discretion in the field? More specifically, how do officer and civilian demographic characteristics (gender, sexual orientation, and race) influence officer discretion? To accomplish this task, I drew on in-depth, semi-structured interviews with law enforcement officers, ethnographic fieldwork, and archival data from police and sheriff's departments in Southern California.

In answering these questions, I contributed to several bodies of scholarship. First, I added to the organization literature on occupational stress and burnout by highlighting officer frustrations with bureaucratic policies and processes surrounding domestic violence. Respondents also felt unsupported by other criminal justice system actors and the justice system more generally. Officers cited these frustrations and bureaucratic constraints as impeding their ability to create lasting change for the civilians they were sworn to protect and serve. I argued that these feelings of frustration and negative expectations of the bureaucratic process resulted in cynicism and influenced respondents' willingness to vigorously pursue domestic violence cases. This is in line with past work which found frustration and stress negatively had an impact on job performance and the

quality of policing in society (Johnson 2004). Still, the causal link between officer feelings and actions has "been continuously questioned" (Novak, Frank, Smith, and Engel 2002: 79); thus, it would be fruitful for additional research to further examine the relationship between officer frustrations, perceptions of DV cases, and discretion.

I also added to the literature on the "hidden curriculum" by highlighting the inconsistencies between formal police training, which is victim centered, and the informal values promoted within the organization, which often present domestic violence cases and victims in a negative light. I found about 40% of respondents felt the formal DV training they received in the academy was too brief, lacking in quality, and/or unrealistic. Furthermore, even specialized DV training was ineffective, as there was a persistent hidden curriculum that negatively presented DV cases and victims. As such, close to one-third of respondents in this study reiterated victim blaming rhetoric, positing that the victim is responsible for their own victimization. I argued that the presence of victim blaming rhetoric within the hidden curriculum normalizes domestic violence, disempowers victims, and has a negative impact on police-civilian interactions. Moreover, this rhetoric reflects the dominant culture of blame which shifts the focus on violence from abusers to victims (Thapar-Björkert and Morgan 2010) and provided evidence that police organizations (unintentionally) devalue DV cases.

I also considered the impact of officer characteristics (gender and race) on perceptions and decision-making regarding domestic violence. Consistent with past work, I found evidence that officer's perceptions of themselves and their abilities differed based upon gender and race, which aligns with the difference perspective (DeJong 2005).

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Female officers' discussions echoed those in the literature which point to women as more empathetic, having better communication skills, and using less force than their male counterparts (Rabe-Hemp 2009). These officers perceived such essentializing characteristics as advantageous to them and their effectiveness as officers when interacting with female victims. I also argued that these perceptions reinforced the gender hierarchy present within policing and contributed to policing as an inequality regime (Acker 2006). In comparison to gender, respondents were more reserved in talking about how their race shaped interactions with civilians. While officers of color often expressed different perceptions regarding their efficacy as officers, they framed these differences around language or culture – more socially acceptable topics surrounding difference. This aligned with past work which found that officers of color have a better understanding of victims and offenders of color due to their shared insider status (Weitzer and Tuch 2006). My analyses suggest that demographic characteristics of officers' influence discretion and decision-making, although gender appears to be a more salient factor than race.

Finally, I examined how social inequalities and stereotypes shaped police perceptions of civilians and subsequently, police allocation of resources. My analyses contributed to the scholarship on stereotypes and worthy victimhood by considering the extent to which officers reinforce and/or challenge gender, sexual orientation, and racialized stereotypes of victims and offenders. Consistent with the social constructionism literature, I found that officer perceptions of victims were highly gendered and reflected stereotypes of women as weak and in need of legal protection and men as more threatening and capable of violence (Seelau and Seelau 2005). These

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perceptions echo sexist and heteronormative societal assumptions regarding gender, victimhood, and domestic violence.

In addition, respondents reiterated the notion that worthy victimhood is a heterosexual construction by reinforcing the stereotype of same-sex violence as mutual. This perception is in opposition to research that suggests the dynamics of same-sex domestic violence are comparable to heterosexual violence (Renzetti 1992; Merrill & Wolfe 2000). Finally, regarding race, more than half of officers reinforced the stereotypical notion that violence within families of color is "normal" by pointing to differences in cultural understandings regarding violence as an explanation for the higher frequency of violence in these communities. This is consistent with past work which found that violence within communities of color is often conceptualized as transcending individual behavior and instead reflecting group culture (Bonilla-Silva 2018; Sokoloff and Dupont 2005). Respondents also extended this culture blame approach to immigrant communities, which is consistent with prior work (Dasgupta 2007; Menjívar and Salcido 2002). These perceptions reinforced the stereotype of victimhood as linked to race, with White victims being constructed as worthy and victims of color being depicted as unworthy.

In their role as cultural agents, police actively generate and regenerate meanings about certain types of people and types of conduct. That is, police behavior influences broader understandings of who a "worthy victim" is and can shape how those who do not fit this ideal are perceived and treated. Therefore, I argue that an officer's adherence to sexist, heteronormative, and racist assumptions can result in certain groups of people

(i.e., men, people from the LGBTQ community, minorities, and immigrants) being taken less seriously when reporting DV or being offered fewer services and resources. In this way, police biases are related to the differential allocation of resources, in the form of criminal justice system outcomes, as predicted by Lipsky (2010). More broadly, officers also perpetuate broader social inequalities through their policing of crime.

In addition, it is interesting that officers say they want to protect and serve and express frustration with the bureaucratic constraints they feel impede this ability while simultaneously suggesting that only certain people are worthy of police services and resources. That is, they give the impression that they want to protect and serve and yet, many of the victims are not worthy in their eyes. This could reflect a disconnect between the formal curriculum and the hidden curriculum whereby the former emphasizes an officer's duty to serve the public and the latter promotes an "us" versus "them" mentality between officers and civilians (Maskaly and Donner 2015; Weitzer and Tuch 2006).

Taken together, my findings expanded on Lipsky's (2010) theory of street-level bureaucrats, which conceptualized discretion as a conflict between legal policy and the availability of resources. Lipsky's theory gives insufficient attention to extra-legal factors; yet, my research demonstrates that several extra-legal factors have an impact on police officer discretion and decision-making. In addition, I considered these relationships within the context of domestic violence calls, which are inherently complex (Logan, Shannon and Walker 2006). This adds nuance to understanding the intersection of policing, discretion, and domestic violence.

Policy Implications

Another aim of this dissertation was to inform public policy surrounding current domestic violence protocol. While Chapter 3 addressed officer perceptions about the effectiveness of current domestic violence policies, I also sought officer suggestions for improving the system. Officers had many suggestions including engaging in community policing to establish rapport and trust within the community, increasing resources and personnel, and working with other agencies to provide more comprehensive services to victims. Additionally, as mentioned in Chapter 3, close to half of the officers in this study were supportive of periodically retraining officers on DV issues and the investigative process. With some exceptions for officers working in specialized units, domestic violence training is limited to the time in the academy. Additional and more frequent training may be beneficial for officers throughout their tenure.

Cultural sensitivity and implicit bias training are also warranted as officers frequently downplayed violence against men in heterosexual relationships, reinforced stereotypical notions of same-sex violence as mutual, and presented violence within families of color as "normal." Implicit biases are subconscious associations that often reflect stereotypes of certain groups of people (Kirwan Institute for the Study of Race and Ethnicity 2015). But there is evidence that when individuals participate in implicit bias training, this can mitigate the stereotype driven actions they would have otherwise taken based on subconscious assumptions (Nellis 2016). Similarly, Gilbert and Ray (2015) recommend including research on racial prejudices and biases during police training so that officers can be made aware of how biases influence police behavior.

Finally, law enforcement agencies might consider reformulating their current DV training programs to include discussions of how social structure influences violence. While there was some recognition of structure during the SDVT training I completed, most of my interviews and fieldwork suggest that officers' approach DV from an individualistic standpoint. Thus, it could be beneficial for officers to engage in "structural competency" training which would foster an understanding of how structure shapes interactions (Metzl and Hansen 2014). Participating in this training could also address the tendency for officers to victim blame.

Limitations and Future Research

The design of this project has some methodological limitations that future research can improve upon. The data were drawn from a convenience sample of law enforcement officers within the Southern California region, which limits the generalizability of my findings. Future research should qualitatively explore the impact of extra-legal factors on officer discretion within other geographic regions to add to this discussion. In addition, as a convenience sample, the respondents who chose to participate may not be representative of all officers within the police or sheriff's departments I sampled from.

The aim of this study was to examine the impact of specific extra-legal factors on police officer discretion; however, several additional factors were mentioned by respondents as being important. These factors were outside the scope of this study but would be fruitful for future exploration. For instance, respondents spoke about the relationship between the information they receive from 911 dispatchers and officer

discretion. Officers indicated that information obtained by the 911 dispatcher and communicated to the responding officer through the call comments is "critical" and shaped the mindset and tactics of officers when they responded to domestic violence calls. Specifically, the information about the situation, who was involved, and if there were any weapons significantly affected the way in which officers approached a domestic violence case. This suggests that 911 dispatchers play an important role in police-civilian interactions; yet the causal effects of dispatcher information on such outcomes, and the mechanisms that produce them is still unknown. Additional research regarding this relationship is warranted.

In addition, a theme that was touched upon throughout this study, but which is worthy of more rigorous investigation is the notion that DV cases are unique. Officers presented DV cases as uniquely emotional, said the paperwork is more laborious than other cases, cited DV arrest policies as being ineffective, expressed frustration with not addressing the root of DV, etc. This could reflect the nature of this study, which was specifically concerned with DV and asked questions directly about DV and not other type of crime. Still, there are arguably other cases where officers would experience similar issues. For instance, it could be argued that handling a murder case or human trafficking case would be equally as emotional as a DV case, yet, officers seem to present DV as the only type of call where emotions run high. Additionally, estimates suggest about two-thirds (68%) of released prisoners reoffend within three years and three-quarters (77%) within five years (Durose, Cooper, and Snyder 2014). So, even when people are arrested, prosecuted, and serve time, they may reoffend. Thus, there are many crimes where the

foundational issues are not being resolved, and consequently, recidivism occurs. With these similarities in mind, it would be interesting to consider how officers perceive other crimes in comparison to DV cases and then assess if and why DV cases are presented as unique. This would make for an interesting future study.

Still, domestic violence cases may be unique in some ways. Officers in this study reported feeling more vulnerable when responding to domestic violence incidents compared to other crimes due to the unpredictability of the situation. Their concern is supported by research, which finds that domestic violence calls present a considerable risk to responding officers wherein about 1 in every 26 instances resulted in an assault on an officer (Johnson 2015). The likelihood increases to 1 in 4 if the suspect is unemployed, drunk, living with the victim, has damaged property during the incident, and is hostile with the officers when they arrive. In cases where an assault occurs, the responding officers have a 50/50 chance of sustaining an injury that requires medical treatment (Johnson 2015). Thus, domestic violence calls may be somewhat unique after all. However, it is unclear how these feelings of vulnerability influence officer discretion, if at all. Future research should consider this.

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Penal Codes Cited

California Penal Code §836

California Penal Code §13701 (B)

Appendix A

<u>Interview guide: Policing Domestic Violence Study</u>

Participant ID Number:
Gender:
Age:
Race/ethnicity:
Job title:
Length of service:

General experience with domestic violence
1. In general, how often do you respond to domestic violence calls? (or, what percentage of your cases are domestic violence related?)
2. Can you briefly describe the last domestic violence call you responded to?
    a. Who were the people involved? (Race/ethnicity? Heterosexual couple?)
3. Is there such thing as a "typical" domestic violence call? Can you describe it?
4. What is your primary goal when responding to a domestic violence call?
5. Do you see a lot of DV recidivism? Multiple calls to the same address or involving the same people?

Training
6. How much domestic violence training did you receive during the academy?
    a. Have you received any subsequent/specialized training?
    b. Do you feel like you have received adequate training for responding to domestic violence calls?
7. (*This question only for non-SDVT officers*) Are you familiar with the Specialized Domestic Violence Team (SDVT) program that operates in each division?
    a. What is your perception of SDVT?
    b. What is the main goal of SDVT?
    c. How could the SDVT be more effective?
8. (*This question only for SDVT officers*) How did you become involved in the SDVT? (recruited, volunteered?)
    a. What is your perception of the SDVT?
    b. What is the main goal of SDVT?
    c. How could the SDVT be more effective?

9. What are the differences (if any) between how SDVT trained vs. non- SDVT trained officers respond to domestic violence calls?

Protocol
10. Compare the most recent non-domestic assault call you went on with the most recent domestic violence call. How is responding to a domestic violence call similar to and/or different than responding to a non-domestic assault call?
    a. [Get at idea of DV calls as more dangerous than other calls]
11. Can you walk me through the protocol for responding to a domestic violence call?
    a. Do you use a script when engaging with the persons involved?
    b. Pro-arrest? (Felony vs. misdemeanor)
12. How do you determine who the primary aggressor is?
13. What do you do in cases where the suspect is not present at the scene?
14. Do you think the current protocol is effective for addressing domestic violence?
    a. Do you think policies could be improved? How?

Extra-legal factors
15. Do you think male officers are better suited for handling domestic violence calls? Female officers? A combination? (Can you describe some of the differences between male and female officers? Can you give me a specific example to illustrate?)
16. As a (fe)male officer, do you feel your gender gives you an advantage or a disadvantage when responding to DV calls?
17. How often do you encounter same-sex domestic violence calls?
    a. How do you determine the primary aggressor in same-sex domestic violence calls? Is there a different protocol?
    b. Is your response in same-sex calls similar or different than your response in heterosexual calls?
18. How often do you encounter male victims in a heterosexual relationship?
    a. How do you determine the primary aggressor in these cases?
    b. Is your response to male victims similar or different than your response to female victims?
19. What is the impact of culture on reports of DV?
20. What is the impact of race on reports of DV?
    a. Do you think your race gives you an advantage or a disadvantage when responding to DV calls?

Attitudinal variables

      21. Compared to other types of crime and other responsibilities you have as a police officer, how important do you consider domestic violence calls?

          a. Do you think that it should be a police officer's responsibility to respond to domestic violence calls?

      22. What are the motivations behind victims calling the police on their partners?

      23. How do you respond when a victim is reluctant to press charges/testify against the offender?

          a. How do you feel in these cases? Can you give me a specific example to illustrate?

Additional questions added:

      24. Can you describe the bureaucratic process of handling a DV call (arrest, investigation, prosecution, conviction)? What is your role in that process?

      25. Why might a case be prosecuted versus not?

          a. Probe re: "good" versus "bad" cases

      26. What are the main challenges you face when responding/handling a DV call?

          a. Probe re: issues regarding victim cooperation, recanting

Before we conclude,

Is there anything else you would like to share with me about your experiences with or perceptions of domestic violence calls?

That concludes our interview. Thank you for your time and participation. Would it be okay if I follow up with you at a later time if I have any additional questions or would like to clarify something? Also, could you provide the contact information for any additional officers who may be willing to be interviewed?